## Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

POLICY: It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

## **GENERAL OBJECTIVES:**

- Be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they
  have no ties to terrorism.
- Ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles
- We cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law
- We should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation

Date conversions	
Days from order	Date
30	2/26
60	3/28
90	4/27
100	5/7
120	5/27
180	7/26
200	8/15

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
Section 3	: Suspension of Issu	ance of Visas a	nd Other Immigration Benefits to	Nationals of (	Countries of Particula	ar Concern
3a	DHS	Review	Determine information	Immediate		
	•		needed from any country to			
	In consultation with		adjudicate any visa, admission			
	DOS/DNI		or benefit under the INA in		,	
			order to determine that the			
			individual seeking the benefit			
			is who the individual claims to			
			be and is not a security or			
			public safety threat.			

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
3b	DHS	Report	Information identified in review under 3a	30 days from Jan 27	Report to President Copy to DOS/DNI	
3c	DHS/DOS	Suspend	Admission of immigrants and nonimmigrants from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya	For 90 days from Jan 27	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	<ol> <li>Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130,?</li> <li>Should we deschedule oath ceremonies for individuals from the 7?</li> <li>How do we handle N-400s 120+ days from interview?</li> <li>Should we stop RFEs?</li> <li>Should we stop scheduling interviews?</li> <li>What about change of status from other NIV categories to NATO visas, C-2 travel visas (UN) andG-1, G-2, G-3, and G-4 visas?</li> <li>What about change of status for NIVs for these countries?</li> </ol>
3d	DOS	Request	Secretary shall request all foreign governments that do not supply information identified in 3a review to provide such information.	Immediately following report in 3b	Foreign governments will be given 60 days to begin providing information	
3e	DHS In consultation with DOS	Recommendation	Recommend countries whose foreign nationals would be prohibited entry to the United States due to the country's failure to provide information requested by the U.S. as described in 3d	After 60 day period outlined in 3d	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	
3g*					*Exception:  DHS and DOS may on a case- by-case and when in national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.	
3f	DHS or DOS	Recommendation	Add countries to list of those whose nationals are prohibited from entering the U.S. due to failure to provide information as requested by the U.S. (3d)	After submission of List Indefinite		
3h	DHS and DOS	Joint Report	Report progress implementing Order	30 days 60 days		

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments					
				90 days							
				120 days							
				From Jan 27	]						
Section 4	Section 4: Implementing Uniform Screening Standards for All Immigrant Programs										
4a	DHS/DOS/DNI/FBI	Implement Program as part of adjudications process to include development of:  • Uniform screening standard and procedure, such as interviews  • Database	To identify individuals seeking to enter US on a fraudulent basis with intent to cause harm, or who are at risk of causing harm subsequent to admission.  Capture identity documents proffered by applicants and prevent duplicate documents from being used by multiple applicants.	Initial progress report due within 60 days of Jan 27		<ol> <li>Do we need to take any actions prior to the "plan" described in section four being developed and implemented?</li> <li>Who is responsible for developing the plan?</li> <li>Might this functionality [database to collect identity documents] already exist and be implemented?</li> <li>Would these [amended application forms] be internal worksheets and not OMB cleared changes to existing forms?</li> <li>[Regarding mechanism to ensure applicant's claimed identity] Beyond existing measures/capabilities? Enhanced data share?</li> </ol>					
		Amended     Application Forms	To add questions aimed at identifying fraudulent answers and malicious intent								
		Mechanism	To ensure applicant is who the applicant claims to be								
		Process	To evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest								
		Mechanism	To assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the U.S.								

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments					
4b	DHS/DOS/DNI/FBI	Report	Report progress of initiatives	Within 60 days,	Report to President	-					
			under 4a	100 days,							
				200 days of Jan 27							
Sec. 5. Rea	ec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017.										
5a	DOS	Suspend the USRAP		For 120 days from							
		program		Jan 27							
5a	DOS	Review	Review the USRAP application	Within 120 days							
	In consultation with		and adjudication process to	of Jan 27							
	DHS/DNI		determine what additional procedures should be taken to								
			ensure that those approved								
			for refugee admission do not								
			pose a threat to the security								
			and welfare of the United								
			States								
5a	DOS	Implement	Implement procedures	Within 120 days	Refugee applicants who are						
			identified during review	of Jan 27	already in the USRAP process						
	In consultation with				may be admitted upon the						
	DHS/DNS				initiation and completion of						
	noc	Daniera HCDAD		120 days after	these revised procedures.						
5a	DOS	Resume USRAP		120 days after order	Limited to nationals of countries for which the						
				, order	DHS/DOS/DNI have jointly						
					determined that such						
					additional procedures are						
				•	adequate to ensure the						
					security and welfare of the						
					United States						
5b	DOS	Prioritize Refugee	Prioritize claims made by		Individual's religion must be a						
	t be not	Claims	individuals on the basis of		minority religion in the						
	In consultation with  DHS		religious-based persecution.		individual's country of						
5b	DOS/DHS	Recommend	To support prioritization of		nationality.						
טט	נווטןנטע	Legislation	refugee claims as noted								
		regionation	immediately above.								
5c	President	Suspend admission of		Until the	Exception:						
		Syrian refugees		president	DHS/DOS have discretion to						
				determines	jointly determine to admit						
5e				sufficient changes	individuals to the United						
Exception				have been made	States as refugees on a case-						
				to USRAP to	by-case basis only so long as						
				ensure admission	they determine that the						
				of Syrian Refugees is consistent with	admission of such individuals						
				the national	as refugees is in the national interest including when the						
				interest.	person is a religious minority						
					in his country of nationality						
	I	1	1	I	I was an all and a second and						

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
	, ,				facing religious persecution,	
					when admitting the person	
					would enable the United	
					States to conform its conduct	
					to a preexisting international	
					agreement, or when the	
					person is already in transit	
					and denying admission would	
					cause undue hardship and it	
					would not pose a risk to the	
					security or welfare of the	
					United States.	
Sd	President	Limit refugee		Until such time as		
		admissions to 50,000		the president		
		in FY 2017		determines that		
				additional		
				admissions would		
				be in the national		
				interest		
5f	DOS	Report	Progress of prioritization of	Within 100 days		
			claims under 5(b)	and		
	DHS	Determine based on	Extent to which state and	200 days of Jan 27		
5g	Una	existing law	local jurisdictions may have			
		CVIDENIE IGM	greater involvement in the			
		j	process of determining the			
			placement or resettlement of			
			refugees in their jurisdictions			
5g	DHS	Propose	Plan to involve state/local			
-			jurisdictions in refugee			
			resettlement process			
Sec. 6. Re	scission of Exercise of	Authority Relating to t	he Terrorism Grounds of Inad	missibility		
6a	DOS/DHS	Review and consider	Authorities under INA 212 (8	Undefined		Should we adjudicate cases in TRIG
		rescinding	USC 1182) relating to TRIG			hold? It doesn't seem like exemptions are
	In consultation with		and related memoranda			forthcoming
	AG					
	•	the Biometric Entry-E	xit Tracking System.			
7a	DHS	Expedite completion			Recommended by the	
		and implementation			National Commission on	
		of a biometric entry-			Terrorist Attacks Upon the	
		exit tracking system			United States	
		for all travelers to the United States				
7b	DHS	Report	Progress on directive in 7a	Within 100 days		
/0	לווט	Meport	Trogress on uncerive in 78	200 days and 365		
		<del> </del>	l	1 200 00\$3 010 303	I	· · · · ·

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
	(0)			days of Jan 27 and		
		•		every 180 days		
		•		thereafter until		
				the system is fully		
				deployed and		
				operational.		
a ' a m'	· · · · · · · · · · · · · · · · · · ·		Land the second second	<u> </u>	Part No.	
- 55 59	a Interview Security. I	<i>y</i> • • • •		e E		
8a	DOS	Suspend	Visa Interview Waiver	Immediately	Require in-person interview	
	 A.s. A		Program		for all individuals seeking a	
	,			,	NIV, subject to statutory	
	000		A L. Pell B		exceptions	
8b	DOS	Expand	Consular Fellows Program		To extent permitted by law	
				, ,	and by available	
`					appropriations: substantially	
				.'	increase the number of	,
· .					fellows; lengthening or	
		·		·	making the period of service permanent; make language	
#1.ki					services (FSI) available to	
				. '	expand post options	
Car a Vis	a Validity Reciprocity		<u>                                     </u>		expand post options	
3CG 3, VI3	DOS	Review and align	To the extent practicable,		As applies to validity period	
	שטט	Keview stid align	ensure visa reciprocity		and fees, as required by	l. '
			agreements for each visa		sections 221(c) and 281 of the	
	٠ , .		classification are truly		INA, 8 U.S.C. 1201(c) and	
	0 "28		reciprocal. If not reciprocal,		1351, and other treatment	
	,		adjust the visa validity period,	,	2002/01/0 03/10/10/10/10/10	
			fee schedule, or other	1		
			treatment to match the			
	:		treatment of United States	, *	·	,
	1.5		nationals by the foreign			
•			country.	a .		
			, 	` ,		
Sec. 10. Tr	ansparency and Data	Collection				
10a	DHS	Collect and Publish	Number of foreign nationals	Within 180 days	Data since the date of this	
		Information	in the United States who have	and every 180	order or the last reporting	
	In consultation with		been:	days thereafter	period, whichever is later	
	Attorney General		charged with terrorism-			
			related offenses while in the			
			United States;			
			convicted of terrorism-			
			related offenses while in the			
			United States;			
			removed from the United			
			States based on terrorism-			

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
			related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons  radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States  information regarding the number and types of acts of gender-based violence against women, including honor killings,  any other information relevant to public safety and security, including information on the immigration status of foreign nationals charged with major offenses			
11b	DOS	Report	Estimated long term costs of USRAP at Federal, State and Local levels	Within one year of Jan 27		

UNITED STATES DISTRICT COURT		
EASTERN DISTRICT OF NEW YORK		
	X	
	:	
HAMEED KHALID DARWEESH and	:	
HAIDER SAMEER ABDULKHALEQ		
ALSHAWI, on behalf of themselves and others	•	
similarly situated,	:	
Petitioners,	:	<b>DECISION AND ORDER</b>
	:	
- against -	:	17 Civ. 480 (AMD)
	:	
DONALD TRUMP, President of the United	:	
States; U.S. DEPARTMENT OF	:	
HOMELAND SECURITY ("DHS"); U.S.	•	
CUSTOMS AND BORDER PROTECTION	;	
("CBP"); JOHN KELLY, Secretary of DHS;	:	
KEVIN K. MCALEENAN, Acting		
Commissioner of CBP; JAMES T.	•	
MADDEN, New York Field Director, CBP,,	:	
	:	
Respondents.		
	X	
ANN DONNELLY, District Judge.		

On January 28, 2017, the petitioners filed an Emergency Motion for Stay of Removal on behalf of themselves and others similarly situated.

IT APPEARING to the Court from the Emergency Motion for Stay of Removal, the other submissions, the arguments of counsel, and the hearing held on the 28th of January, 2017,

The petitioners have a strong likelihood of success in establishing that the removal of the
petitioner and others similarly situated violates their rights to Duc Process and Equal
Protection guaranteed by the United States Constitution;

- There is imminent danger that, absent the stay of removal, there will be substantial and irreparable injury to refugees, visa-holders, and other individuals from nations subject to the January 27, 2017 Executive Order;
- 3. The issuance of the stay of removal will not injure the other parties interested in the proceeding;
- 4. It is appropriate and just that, pending completion of a hearing before the Court on the merits of the Petition, that the Respondents be enjoined and restrained from the commission of further acts and misconduct in violation of the Constitution as described in the Emergency Motion for Stay of Removal.

WHEREFORE, IT IS HEREBY ORDERED that the respondents, their officers, agents, servants, employees, attorneys, and all members and persons acting in concert or participation with them, from the date of this Order, are

ENJOINED AND RESTRAINED from, in any manner or by any means, removing individuals with refugee applications approved by U.S. Citizenship and Immigration Services as part of the U.S. Refugee Admissions Program, holders of valid immigrant and non-immigrant visas, and other individuals from Iraq, Syria, Iran, Sudan, Libya, Somalia, and Yemen legally authorized to enter the United States.

IT IS FURTHER ORDERED that to assure compliance with the Court's order, the Court directs service of this Order upon the United States Marshal for the Eastern District of New York, and further directs the United States Marshals Service to take those actions deemed necessary to enforce the provisions and prohibitions set forth in this Order.

Case 1:17-cv-00480 Document 8 Filed 01/28/17 Page 3 of 3 PageID #: 83

SO ORDERED.

Ann M. Donnelly
United States District Judge

Dated: Brooklyn, New York January 28, 2017

### Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

POLICY: It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

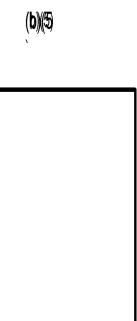
### **GENERAL OBJECTIVES:**

- Be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they
  have no ties to terrorism.
- Ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles
- We cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law
- We should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or
  the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or
  sexual orientation

Date conversions	
Days from order	Date
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Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
Section 3	: Suspension of Issu	ance of Visas ar	nd Other Immigration Benefits to	Nationals of (	Countries of Particula	r Concern
За	DHS	Review	Determine information	Immediate		
			needed from any country to			
	In consultation with		adjudicate any visa, admission			
	DOS/DNI		or benefit under the INA in	ļ	1	
			order to determine that the			
			individual seeking the benefit			
			is who the individual claims to			
			be and is not a security or			
			public safety threat.	1		

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
3b	DHS	Report	Information identified in review under 3a	30 days from Jan 27	Report to President Copy to DOS/DNI	
3c	DH\$/DOS	Suspend	Admission of immigrants and nonimmigrants from Syria, kraq, Iran, Somalia, Yemen, Sudan, and Libya	For 90 days from Jan 27	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	1. Are the following forms impacted: N-400s, N-336, 1-601A, 1-131, 1-765, N-565, 1-130,?  2. Should we deschedule oath ceremonies for individuals from the 7?  3. How do we handle N-400s 120+ days from interview?  4. Should we stop RFEs?  5. Should we stop scheduling interviews?  6. What about change of status from other NIV categories to NATO visas, C-2 travel visas (UN) andG-1, G-2, G-3, and G-4 visas?  7. What about change of status for NIVs for these countries?
3d	005	Request	Secretary shall request all foreign governments that do not supply information identified in 3a review to provide such information.	Immediately following report in 3b	Foreign governments will be given 60 days to begin providing information	
3e	DHS In consultation with DOS	Recommendation	Recommend countries whose foreign nationals would be prohibited entry to the United States due to the country's failure to provide information requested by the U.S. as described in 3d	After 60 day period outlined in 3d	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	
3g*					*Exception: DHS and DOS may on a case- by-case and when in national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.	
3f	DHS or DOS	Recommendation	Add countries to list of those whose nationals are prohibited from entering the U.S. due to failure to provide information as requested by the U.S. (3d)	After submission of List		
3h	DHS and DOS	Joint Report	Report progress implementing Order	30 days 60 days		



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Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments		
-				90 days 120 days			/	
1				From Jan 27			1	
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					<u> </u>	<u> </u>	ľ	
4a	DHS/DOS/DNI/FBI	Implement Program	To identify individuals	Initial progress		Do we need to take any actions prior to the "plan" described in section four being		
		as part of adjudications process	seeking to enter US on a fraudulent basis with intent	report due within 60 days of Jan 27		developed and implemented?		
		to include	to cause harm, or who are	, be cays or sail 27		Who is responsible for developing the		
		development of:	at risk of causing harm			plan?		
			subsequent to admission.			3. Might this functionality (database to		
			!			collect identity documents] already exist		
		Uniform screening				and be implemented?  4. Would these [amended application forms]		
		standard and				be internal worksheets and not OMB.		
		procedure, such as			ļ	cleared changes to existing forms?		
		interviews				5. [Regarding mechanism to ensure	,	
		Database	Capture identity			applicant's claimed identity] Beyond	3	
		- Datebuase	documents proffered by			existing measures/capabilities? Enhanced data share?	`.	
			applicants and prevent			 	١,	
			duplicate documents from					
			being used by multiple					
			applicants				!	
		Amended     Ameliantian Common	To add questions aimed at					
		Application Forms	Identifying fraudulent answers and malicious				1	
			intent					
						<b></b>	,	
		Mechanism	To ensure applicant is who				,,,	
			the applicant claims to be				1	
		<ul> <li>Process</li> </ul>	To evaluate the applicant's					
			likelihood of becoming a			1		
			positively contributing member of society and the					
			applicant's ability to make					
			contributions to the					
			national interest					
		Mechanism	To assess whether or not					
			the applicant has the intent					
			to commit criminal or terrorist acts after entering					
			the U.S.					
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		···					•	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
4b	DHS/DOS/DNI/FBI	Report	Report progress of initiatives	Within 60 days,	Report to President	
			under 4a	100 days,		
				200 days of Jan 27		
Sec. S. Re	alignment of the U.S.	Refugee Admissions Pr	ogram for Fiscal Year 2017.		A second	
5a	005	Suspend the USRAP	T	For 120 days from		
		program		Jan 27		
5a	DOS	Review	Review the USRAP application	Within 120 days		
	In consultation with		and adjudication process to	of Jan 27		
	DHS/DNI		determine what additional	į		
			procedures should be taken to			
			ensure that those approved	j		
			for refugee admission do not			
			pose a threat to the security			
			and welfare of the United			
			States			
Sa .	DOS	Implement	Implement procedures	Within 120 days	Refugee applicants who are	
	ļ		identified during review	of Jan 27	already in the USRAP process	
	In consultation with				may be admitted upon the	
	DHS/DNS			1	initiation and completion of	
					these revised procedures.	
Sa	DOS	Resume USRAP		120 days after	Limited to nationals of	
				order	countries for which the	
					DHS/DOS/DNI have jointly	
					determined that such	
					additional procedures are	
					adequate to ensure the	
					security and welfare of the	
					United States	
Sb ·	DOS	Prioritize Refugee	Prioritize daims made by		Individual's religion must be a	
		Claims	individuals on the basis of		minority religion in the	
	In consultation with		religious-based persecution.		individual's country of	
	DHS				nationality.	
5b	DOS/DHS	Recommend	To support prioritization of		i	
		Legislation	rëfugee claims as noted			
			immediately above.			
5¢	President	Suspend admission of		Until the	Exception:	
		Syrian refugees		president	DHS/DOS have discretion to	
				determines	jointly determine to admlt	
5e				sufficient changes	individuals to the United	
Exception				have been made	States as refugees on a case-	
				to USRAP to	by-case basis only so long as	
	-			ensure admission	they determine that the	
	1			of Syrian Refugees	admission of such individuals	
				is consistent with	as refugees is in the national	
				the national	interest including when the	
				interest	person is a religious minority	
_	J .	<u> </u>			in his country of nationality	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
	1000.(3)				facing religious persecution,	
					when admitting the person	
	}				would enable the United	
	]				States to conform its conduct	
	1				to a preexisting international	
					agreement, or when the	
					person is already in transit	
					and denying admission would	
	1				cause undue hardship – and it	
					would not pose a risk to the	
					security or welfare of the United States.	
					Uniced States.	
5d	President	Limit refugee		Until such time as		
		admissions to 50,000		the president		
		in FY 2017		determines that	1	
	1			additional		
	1			admissions would		
				be in the national		
e.i	l nor	P	B	interest		
Sf	DOS	Report	Progress of prioritization of	Within 100 days		
			claims under 5(b)	200 days of Jan 27		
5g	DHS	Determine based on	Extent to which state and			
		existing law	local jurisdictions may have			
			greater involvement in the			
			process of determining the			
			placement or resettlement of			
_			refugees in their jurisdictions	<del> </del>		
5g	DHS	Propose	Plan to involve state/local			
			jurisdictions in refugee	İ		
Sec. 6. Re	scission of Exercise of	Authority Relating to t	resettlement process he Terrorism Grounds of Inad	l	l	<u>                                     </u>
6a	DOS/DHS	Review and consider	Authorities under INA 212 (8	Undefined		Should we adjudicate cases in TRIG
		rescinding	USC 1182) relating to TRIG			hold? It doesn't seem like exemptions are
	In consultation with		and related memoranda			forthcoming
	AG			<u> </u>		-
Sec. 7. Ex	pedited Completion of	the Biometric Entry-E	klt Tracking System.			
7a	DHS	Expedite completion			Recommended by the	
		and implementation			National Commission on	
		of a biometric entry-			Terrorist Attacks Upon the	
		exit tracking system			United States	
		for all travelers to the				
-1	Bule	United States	Barrier de la Carte	sent and		_
7b	DHS	Report	Progress on directive in 7a	Within 100 days		
		<u> </u>	<u> </u>	200 days and 365	<u> </u>	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
				days of Jan 27 and		
				every 180 days		
1				thereafter until	i	
	•			the system is fully		
				deployed and		
				operational.		
୧୯.୫.୩	anicanjer) Zamity (	200	The second secon	and the second	Post of Participation	
8a	005	Suspend	Visa Interview Waiver	Immediately	Require in-person Interview	<u> </u>
) oa	1003	Juspeniu	Program	i intricoloticil	for all individuals seeking a	
			, rogam		NIV, subject to statutory	
}					exceptions	
8b	005	Expand	Consular Fellows Program		To extent permitted by law	
1					and by available	
[		ĺ			appropriations: substantially	
		į ·			increase the number of	
	i		•		fellows; lengthening or	
					making the period of service	
	1				permanent; make language	
					services (FSI) available to	
1 A 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	I A		· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	expand post options	
SEC. PA VIS	a Velidity Reciprocity					
	DOS	Review and align	To the extent practicable,		As applies to validity period	
	,		ensure visa reciprocity		and fees, as required by	
		1	agreements for each visa	, -	sections 221(c) and 281 of the	
			classification are truly	1	INA, 8 U.S.C. 1201(c) and	
	ŀ		reciprocal. If not reciprocal,		1351, and other treatment	
			adjust the visa validity period, fee schedule, or other			
			treatment to match the			
	}		treatment of United States			
			nationals by the foreign			
	ì	· .	country.			
	1	·	·			
CE OU	तुष्ट्रायाम् अर्थे विश्व	<u>මැහැ</u> ණ	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2			
10a	DHS	Collect and Publish	Number of foreign nationals	Within 180 days	Data since the date of this	
		Information	in the United States who have	and every 180	order or the last reporting	
	In consultation with		been:	days thereafter	period, whichever is later	
	Attorney General		<ul> <li>charged with terrorism-</li> </ul>			
			related offenses while in the			
			United States;			
			• convicted of terrorism-			
			related offenses while in the			
			United States;			
1			removed from the United			
1			States based on terrorism-			

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
			related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons  radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States  information regarding the number and types of acts of gender-based violence against women, including honor killings,  any other information relevant to public safety and security, including information on the immigration status of foreign nationals charged with			
11b	DOS	Report	major offenses Estimated long term costs of	Within one year		
110	ניאו	report	USRAP at Federal, State and	of Jan 27		
			Local levels			

# (b)(5)

Page 3: [1] Comment [SLD2]	Deshommes, Samantha L	1/29/2017 3:36:00 PM
Page 3: [2] Comment [SLD3]	Deshommes, Samantha L	1/29/2017 3:11:00 PM

(**b**)(5)

## Gillispie, Anna E

From:

Parascandola, Ciro A

Sent:

Sunday, January 29, 2017 8:57 AM

To:

Levine, Laurence D

Cc:

Cummings, Kevin J; Tynan, Natalie S

Subject:

RE: Executive Order

Nat,

Kevin and I will might send you a few follow on notes on this, but my question from the EB side is that, while they want to suspend entry of these individuals for the time being, do they also intend for us to hold onto any requests for extensions of stay until the enhanced vetting procedures are in place? The text says "entry" but it's in the section explaining the need to review procedures prior to any benefit being granted. We will send you anything else we can come up with. There is nothing really to state from a strict policy sense, but obviously OCC, SCOPS, the FO et al will like have the same questions regarding exactly what these provisions mean. We have these political advisors on board. They should reach out through their people to the WH to get clarification.

Kevin, you agree?

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beverldge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.

Larry Levine
Acting Chief

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Phillips, Mark

Sent: Sunday, January 29, 2017 9:25:20 AM

**To:** Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar,

Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 8:58:25 AM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

From: Anderson, Kathryn E

**Sent:** Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

W -		L		_
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Kathr	yn.	And	lers	on

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services

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Department of Homeland Security	

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security
( <b>b</b> )(6)
From: Deshommes, Samantha L Sent: Saturday, January 28, 2017 11:18:11 PM To: Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order
Sure thingwill take a look tomorrow morning.
·
Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy
(b))(6)
From: Levine, Laurence D Sent: Saturday, January 28, 2017 8:28:08 PM To: Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: FW: Executive Order
All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference). Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN. Thanks,  Larry
,

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

**Subject:** RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud Acting Deputy Director US Citizenship & Immigration Services

Department of Homeland	i Security
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(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel

Chief, International Operations Division U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer

I think that's o.k. and going forward don't schedule these for interviews.
From: Renaud, Daniel M Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order
If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.
Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Services .
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order  (b)(5)
FYI. I think Andrew might be right in terms of what is meant but
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person.  Ve just need to clarify if by extension this applies to
our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.
Thanks,

9

**Cc:** Renaud, Tracy L; Neufeld, Donald W **Subject:** RE: Executive Order

Andrew Davidson

)(66)

## Gillispie, Anna E

From:

Hamilton, Cristina A

Sent:

Sunday, January 29, 2017 8:15 PM

To:

Levine, Laurence D; Deshommes, Samantha L; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

RE: Executive Order

DHS HQ has been busy with press releases today on the EO. See link below to the DHS.gov site for the 4 press releases issued today.

### https://www.dhs.gov/news-releases

Cristina Hamilton Chief. National Security and Benefits Integrity Division Office of Policy and Strategy, USCIS

(b)(6)

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 4:04 PM

To: Deshommes, Samantha L; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam - there's some other chain that Tammy was on.

Larry Levine **Acting Chief** 

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Sunday, January 29, 2017 3:58:09 PM

To: Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna);

Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

RCD's questions, timing guidance, etc. is attached.

Forms/PRA: In short, form changes can be accomplished via an emergency approval action, which in comparison with the normal process is quicker, but requires a duplicate action. OMB approval under emergency approval is only valid for 6 months so we'd have to restart the normal process (60- and 30-day Notices) immediately. The speed with which we can submit such actions to OMB depend on the speed with which legal guidance is provided to allow for firm decisions on form changes, additional form questions, etc.; the speed with which OIDP can provide the amended form instruments; and the speed with which IT and OIDP can schedule the revised forms for intake.

Regs: I think the most appropriate timeline to use is the average time it took for us to draft and publish EA-related rulemakings (approx. 12-16 months for drafting, clearing publishing the NPRM, and approx. 6-8 months to consider comments, draft, clear, and publish the final rule). Notice that I didn't opine on the effective date of the reg (which, usually is 30-60 days from the date the final rule publishes). However, the effective date is most dependent on the needs of IT and OIDP schedules.

Additional questions and comments are provided in the attached. Btw, under the assumption this will be posted on the OP&S ECN, I shortened the filename.

Larry: Just a suggestion...Many of the directives in the EO (uniform identify verification) may require new regs and/or workload for both FDNS and IRIS, and I noticed that IRIS wasn't looped in on the email chain forward from Dan. Maybe you should reach out to Tammy to give her a heads-up. Just a suggestion...

Sam

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 3:31 PM

**To:** Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I defer to you all for all counting matters - I'm glad you all picked it up; I don't know why 6 was stuck in my head.

Larry Levine Acting Chief Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 3:28:37 PM

**To:** Levine, Laurence D; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Not to be a stickler for details, but isn't it 7 countries?

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 2:39 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 1:19:08 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Attached is the stay or coming our way.	order from last night. I've als	so heard that manda	umus actions regardin	ig the EO holds may b	)e
	·				
Larry Levine Acting Chief Office of Policy & Stra U.S. Citizenship and In	<del></del>				
Department of Homela	_				
From: Prelogar, Brando					_
<b>Sent:</b> Sunday, January 2 <b>To:</b> Anderson, Kathryn E (Jenna); Dunn, Maureen	29, 2017 1:11:27 PM E; Cummings, Kevin J; Levine n A; Hamilton, Cristina A; Lee, y, Oscar Y; Tynan, Natalie S				
existing exemptions to about entry vs admissi	sion of TRIG exemptions the oTRIG cases while that consion, while I understand the ag, we should also be careful	onsideration process e desire to make sure	s takes place. Similar t e we are not moving f	to Kathryn's point	<u>;</u>
	29, 2017 7:51:47 AM; ; Levine, Laurence D; Deshom ee, Robert E; Parascandola, Cir Y; Tynan, Natalie S				
I'll look more closely at t things:	the chart, but upon first gland	ice and after reading	the chain below, I wan	ted to raise a couple	<b>(b</b> )

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of

foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn .	Anderson
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Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services

Department of Homeland Security

(b))(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

<b>To:</b> Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S <b>Subject:</b> RE: Executive Order
Thanks Sam
Larry Levine Acting Chief Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security  (b)(6)
From: Deshommes, Samantha L Sent: Saturday, January 28, 2017 11:18:11 PM To: Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order  Sure thingwill take a look tomorrow morning.

Samantha Deshommes

Chief, Regulatory Coordination Division

USCIS, Office of Policy & Strategy

Tel

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

To: Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

7

Please let me know if you have any questions or see anything that needs editing.

Thanks.

Shannen E. Stattory

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security
(b))(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for

Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of

nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.		
From: Scialabba, Lori L Sent: Friday, January 27, 2017 5:59:36 PM To: Renaud, Daniel M; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order		
think that's o.k. and going forward don't schedule these for interviews.		
rom: Renaud, Daniel M Sent: Friday, January 27, 2017 5:47 PM So: Scialabba, Lori L; Higgins, Jennifer Sc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order		
f we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold he cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.		
Paniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Services		
From: Scialabba, Lori L  Gent: Friday, January 27, 2017 12:43 PM  To: Higgins, Jennifer  Co: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M  Gubject: FW: Executive Order  (b) (5)		
YI. I think Andrew might be right in terms of what is meant but		
From: Davidson, Andrew J  Gent: Friday, January 27, 2017 12:37 PM  Fo: Renaud, Tracy L  Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L  Gubject: Executive Order		
тасу,		
t is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order oday at 4:30pm. In complying with the EAT believe we need immediate clarification in Section 3 (c) relative to the 30		

day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry

into the United States", once we grant an adjustment we "admit" that person.

**(b)**(5)

We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529

(b)(6)

### Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 6:19 PM

To:

Cummings, Kevin J; Deshommes, Samantha L; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S; Viger, Steven W

Subject:

RE: Executive Order - ECN Link

Nice - thanks

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 7:08:18 PM

**To:** Levine, Laurence D; Deshommes, Samantha L; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S; Viger, Steven W

Subject: RE: Executive Order - ECN Link

From: Viger, Steven W

Sent: Sunday, January 29, 2017 7:01 PM

**To:** Cummings, Kevin J **Cc:** Parascandola, Ciro A **Subject:** RE: Executive Order

Here's the link: Executive Order. Depends who all needs access. If it's just BFWD folks, that's easy. If it's others, just takes time to add the names.

Thanks to Steven, here is the ECN link to the document.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 4:04 PM

**To:** Deshommes, Samantha L; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam - there's some other chain that Tammy was on.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Sunday, January 29, 2017 3:58:09 PM

**To:** Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beverldge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

RCD's questions, timing guidance, etc. is attached.

Forms/PRA: In short, form changes can be accomplished via an emergency approval action, which in comparison with the normal process is quicker, but requires a duplicate action. OMB approval under emergency approval is only valid for 6 months so we'd have to restart the normal process (60- and 30-day Notices) immediately. The speed with which we can submit such actions to OMB depend on the speed with which legal guidance is provided to allow for firm decisions on form changes, additional form questions, etc.; the speed with which OIDP can provide the amended form instruments; and the speed with which IT and OIDP can schedule the revised forms for intake.

Regs: I think the most appropriate timeline to use is the average time it took for us to draft and publish EA-related rulemakings (approx. 12-16 months for drafting, clearing publishing the NPRM, and approx. 6-8 months to consider comments, draft, clear, and publish the final rule). Notice that I didn't opine on the effective date of the reg (which, usually is 30-60 days from the date the final rule publishes). However, the effective date is most dependent on the needs of IT and OIDP schedules.

Additional questions and comments are provided in the attached. Btw, under the assumption this will be posted on the OP&S ECN, I shortened the filename.

Larry: Just a suggestion...Many of the directives in the EO (uniform identify verification) may require new regs and/or workload for both FDNS and IRIS, and I noticed that IRIS wasn't looped in on the email chain forward from Dan. Maybe you should reach out to Tammy to give her a heads-up. Just a suggestion...

Sam

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(**b**)(**6** 

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 3:31 PM

**To:** Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order:

I defer to you all for all counting matters - I'm glad you all picked it up; I don't know why 6 was stuck in my head.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 3:28:37 PM

**To:** Levine, Laurence D; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Not to be a stickler for details, but isn't it 7 countries?

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 2:39 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevln J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 1:19:08 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Attached is the stay order from last night. I've also heard that mandamus actions regarding the EO holds may be coming our way.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Prelogar, Brandon B

**Sent:** Sunday, January 29, 2017 1:11:27 PM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives.

From: Anderson, Kathryn E Sent: Sunday, January 29, 2017 7:51:47 AM To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order		
I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a coup things:  (b)(5)		
(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).		
2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.		

## Kathryn Anderson

Kathryn

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services
Department of Homeland Security

venall	ment or	noneland	i secunity



From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Sure thing...will take a look tomorrow morning.

Samantha Deshomme	es
Chief, Regulatory Co	ordination Division
USCIS, Office of Pol	icy & Strategy
	( <b>b</b> )(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate

### U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?

2. Should we deschedule oath ceremonies for individuals from the 7?

3. How do we handle N-400s 120+ days from interview?

4. Should we stop RFEs?

5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud Acting Deputy Director US Citizenship & Immigration Services Department of Homeland Security



From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel

Chief, International Operations Division

U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L: McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Se	rvices
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M	4. 7. 6.
Subject: FW: Executive Order	(b)(5)
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	
It is my understanding that POTUS will sign the "Protecting the National Action 10 today at 4:30pm. In complying with the EA I believe we need immeday suspension of processing immigrants and non-immigrants from extends to processing of permanent resident applications. Though into the United States", once we grant an adjustment we "admit"	nediate clarification in Section 3 (c) relative to the 30 cm the designated countries of interest and if this the EA states "immigrant and non-immigrant entry that person.
our product lines. If this is the case then Don and Dan will need to	We just need to clarify if by extension this applies to
on hold. Other than the refugee suspension that appears fully deposition we need relative to the EAs.	
Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529	
(b)(6)	

### Gillispie, Anna E

From:

Viger, Steven W

Sent:

Sunday, January 29, 2017 6:10 PM

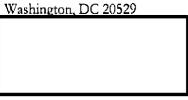
To:

Cummings, Kevin J

Cc: Subject: Parascandola, Ciro A RE: Executive Order

I checked and all OPS folks should have access. Need to clean up the permissions after all the EA crap.

Steven Viger
Adjudications Officer (Policy)
Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Ave., NW
Washington, DC 20529



(b)(6)

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From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 7:09 PM

To: Viger, Steven W
Cc: Parascandola, Ciro A
Subject: RE: Executive Order

Thanks!

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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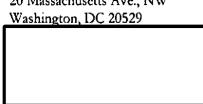
From: Viger, Steven W

Sent: Sunday, January 29, 2017 7:06 PM

**To:** Cummings, Kevin J **Cc:** Parascandola, Ciro A **Subject:** RE: Executive Order

I will double-check but management should already have access.

Steven Viger
Adjudications Officer (Policy)
Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Ave., NW
Weshington, DC 20529



(b)(6)

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From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 7:04 PM

To: Viger, Steven W
Cc: Parascandola, Ciro A
Subject: RE: Executive Order

Thanks man. I need you to show me how to do it. Those who would need access—at least initially—would be the OP&S management team highlighted below and all of us.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Viger, Steven W

Sent: Sunday, January 29, 2017 7:01 PM

**To:** Cummings, Kevin J **Cc:** Parascandola, Ciro A **Subject:** RE: Executive Order

Here's the link: <u>Executive Order</u>. Depends who all needs access. If it's just BFWD folks, that's easy. If it's others, just takes time to add the names.

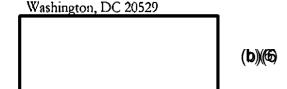
Steven Viger Adjudications Officer (Policy)

Office of Policy and Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

20 Massachusetts Ave., NW



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From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 5:21 PM

**To:** Viger, Steven W **Cc:** Parascandola, Ciro A **Subject:** FW: Executive Order

Importance: High

Is giving various people editing permission for the ECN link a hassle? Thanks man.

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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From: Deshommes, Samantha L

Sent: Sunday, January 29, 2017 3:58 PM

To: Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Joseph M. Tyran, Notalle S.

Jerry L, Silwany, Oscar Y; Tynan, Natalle S

**Subject:** RE: Executive Order

RCD's questions, timing guidance, etc. is attached.

Forms/PRA: In short, form changes can be accomplished via an emergency approval action, which in comparison with the normal process is quicker, but requires a duplicate action. OMB approval under emergency approval is only valid for 6 months so we'd have to restart the normal process (60- and 30-day Notices) immediately. The speed with which we can submit such actions to OMB depend on the speed with which legal guidance is provided to allow for firm decisions on form changes, additional form questions, etc.; the speed with which OIDP can provide the amended form instruments; and the speed with which IT and OIDP can schedule the revised forms for intake.

Regs: I think the most appropriate timeline to use is the average time it took for us to draft and publish EA-related rulemakings (approx. 12-16 months for drafting, clearing publishing the NPRM, and approx. 6-8 months to consider comments, draft, clear, and publish the final rule). Notice that I didn't opine on the effective date of the reg (which, usually is 30-60 days from the date the final rule publishes). However, the effective date is most dependent on the needs of IT and OIDP schedules.

Additional questions and comments are provided in the attached. Btw, under the assumption this will be posted on the OP&S ECN, I shortened the filename.

Larry: Just a suggestion...Many of the directives in the EO (uniform identify verification) may require new regs and/or workload for both FDNS and IRIS, and I noticed that IRIS wasn't looped in on the email chain forward from Dan. Maybe you should reach out to Tammy to give her a heads-up. Just a suggestion...

Sam

Samantha Deshommes Chief, Regulatory Coordination Division USCIS, Office of Policy & Strategy

(b)(6)

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 3:31 PM

**To:** Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I defer to you all for all counting matters - I'm glad you all picked it up; I don't know why 6 was stuck in my head.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 3:28:37 PM

**To:** Levine, Laurence D; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Pindon, Javan L, Gibron, Ocean V. Timon, Notation S.

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Not to be a stickler for details, but isn't it 7 countries?

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 2:39 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 1:19:08 PM

**To:** Prelogar, Brandon 8; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Attached is the stay order from last night. I've also heard that mandamus actions regarding the EO holds may be coming our way.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Prelogar, Brandon B

Sent: Sunday, January 29, 2017 1:11:27 PM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives.

From: Anderson, Kathryn E

**Sent:** Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

(b)(5)

- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
  - 2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

### Kathryn

		,		:
Kathryn Anderson Acting Chief, International and Humanitarian Affair	s Division			
Office of Policy and Strategy, U.S. Citizenship and Ir				
Department of Homeland Security				
	( <b>b</b> )( <b>6</b> )		•	
	•			•
•	•		•	
From: Cummings, Kevin J				
<b>Sent:</b> Sunday, January 29, 2017 6:30 AM <b>To:</b> Levine, Laurence D; Deshommes, Sam	nantha I · Andersor	n Kathryn Er Ber	veridae Jennifer I	(Janna): Dunn Mauroon
A; Hamilton, Cristina A; Lee, Robert E; Par	•			
Rigdon, Jerry L; Silwany, Oscar Y; Tynan,	Natalie S	• • • •	<u> </u>	. ,
Subject: RE: Executive Order		•	·	
The I-129 and I-539 will definitely be affect	ted.			
		•		
Kevin		.1		
Kevin J. Cummings				
Chief, Business & Foreign Workers Divisio	n			
USCIS Office of Policy and Strategy Department of Homeland Security				
This email, along with any attachments, is intended by applicable law. Unauthorized use or disseminati please notify the sender and delete or destroy all co	ion of this email and a			
From: Levine, Laurence D				уры
<b>Sent:</b> Sunday, January 29, 2017 6:29 AM <b>To:</b> Deshommes, Samantha L; Anderson, I	Kathryn F: Reverid	ge lennifert (1	enna): Cummings	Kevin 1: Dunn Maureen
A; Hamilton, Cristina A; Lee, Robert E; Par	ascandola, Ciro A;			
Rigdon, Jerry L; Silwany, Oscar Y; Tynan, I <b>Subject:</b> RE: Executive Order	ivarqii# 5		,	
Thanks Sam				
A ASSESSMENT OF THE SECOND OF				

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS. Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial, use.

Please let me know if you have any questions or see anything that needs editing.

Thanks.

Shannen E. Slattery

Field Operations Directorate I U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde

#### DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud

Associate Director | Field Operations Directorate

U.S. Citizenship and Immigration Services

Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

**Subject:** RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud Acting Deputy Director US Citizenship & immigration Services Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel

Chief, International Operations Division U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

**Subject:** RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Se	ervices
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	<b>(b)</b> ((5)
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lorl L	
Subject: Executive Order	•
Tracy,	
It is my understanding that POTUS will sign the "Protecting the National Action of Processing immigrants and non-immigrants from the United States", once we grant an adjustment we "admit"	nediate clarification in Section 3 (c) relative to the 30 cm the designated countries of interest and if this (b)(h the EA states "immigrant and non-immigrant entry
our product lines. If this is the case then Don and Dan will need to	
on hold. Other than the refugee suspension that appears fully declarification we need relative to the EAs.	ployed on our end this appears the most digent
Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington. DC 20529	

### Gillispie, Anna E

From:

Cummings, Kevin J

Sent:

Sunday, January 29, 2017 6:08 PM

To:

Levine, Laurence D; Deshommes, Samantha L; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S; Viger, Steven W

Subject:

RE: Executive Order - ECN Link

Importance:

High

From: Viger, Steven W

Sent: Sunday, January 29, 2017 7:01 PM

**To:** Cummings, Kevin J **Cc:** Parascandola, Ciro A **Subject:** RE: Executive Order

Here's the link: <u>Executive Order</u>. Depends who all needs access. If it's just BFWD folks, that's easy. If it's others, just takes time to add the names.

Thanks to Steven, here is the ECN link to the document.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 4:04 PM

**To:** Deshommes, Samantha L; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam - there's some other chain that Tammy was on.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services

# Department of Homeland Security (b)(6)

From: Deshommes, Samantha L

Sent: Sunday, January 29, 2017 3:58:09 PM

To: Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

RCD's questions, timing guidance, etc. is attached.

Forms/PRA: In short, form changes can be accomplished via an emergency approval action, which in comparison with the normal process is quicker, but requires a duplicate action. OMB approval under emergency approval is only valid for 6 months so we'd have to restart the normal process (60- and 30-day Notices) immediately. The speed with which we can submit such actions to OMB depend on the speed with which legal guidance is provided to allow for firm decisions on form changes, additional form questions, etc.; the speed with which OIDP can provide the amended form instruments; and the speed with which IT and OIDP can schedule the revised forms for intake.

Regs: I think the most appropriate timeline to use is the average time it took for us to draft and publish EA-related rulemakings (approx. 12-16 months for drafting, clearing publishing the NPRM, and approx. 6-8 months to consider comments, draft, clear, and publish the final rule). Notice that I didn't opine on the effective date of the reg (which, usually is 30-60 days from the date the final rule publishes). However, the effective date is most dependent on the needs of IT and OIDP schedules.

Additional questions and comments are provided in the attached. Btw, under the assumption this will be posted on the OP&S ECN, I shortened the filename.

Larry: Just a suggestion...Many of the directives in the EO (uniform identify verification) may require new regs and/or workload for both FDNS and IRIS, and I noticed that IRIS wasn't looped in on the email chain forward from Dan. Maybe you should reach out to Tammy to give her a heads-up. Just a suggestion...

Sam

Samantha Deshommes Chief, Regulatory Coordination Division USCIS, Office of Policy & Strategy

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 3:31 PM

To: Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I defer to you all for all counting matters - I'm glad you all picked it up; I don't know why 6 was stuck in my head.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 3:28:37 PM

**To:** Levine, Laurence D; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beverldge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Not to be a stickler for details, but isn't it 7 countries?

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 2:39 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beverldge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Levine, Laurence D Sent: Sunday, January 29, 2017 1:19:08 PM To: Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order Attached is the stay order from last night. I've also heard that mandamus actions regarding the EO holds may be coming our way. Larry Levine **Acting Chief** Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security (b)(6) From: Prelogar, Brandon B Sent: Sunday, January 29, 2017 1:11:27 PM To: Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives.

From: Anderson, Kathryn E

**Sent:** Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

/**b**\\//Æ

- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8.U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
  - 2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

#### Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services

Department of Homeland Security			

(b)(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings

Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Deshommes, Samantha L

**Sent:** Saturday, January 28, 2017 11:18:11 PM

(b)(6)

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

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**Sent:** Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

**Subject:** RE: Executive Order

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I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Field Operations Directorate I. U.S. Citizenship and Immigration Services

(b)(6)

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**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

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Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b))(6)

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- 3. How do we handle N-400s 120+ days from interview?
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Daniel M. Renaud

Associate Director | Field Operations Directorate

# U.S. Citizenship and Immigration Services Department of Homeland Security

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Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

**Subject:** RE: Executive Order

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Tracy L. Renaud
Acting Deputy Director
US Citizenship & immigration Services
Department of Hameland Security
(b))(6)

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Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

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We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenshin and Immigration Services

(b)(6)

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Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

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To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

**Subject:** RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

(b)(5)

From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person.
Ve just need to clarify it by extension this applies to
our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.
Thanks,
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW

(b)(6)

Washington, DC 20529

### Gillispie, Anna E

From:

Cummings, Kevin J

Sent: To: Sunday, January 29, 2017 6:06 PM

Cc:

Viger, Steven W Parascandola, Ciro A

Subject:

RE: Executive Order

Let me add you to the string along with the link, and then if anyone needs access they can say so. Thanks!

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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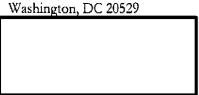
From: Viger, Steven W

Sent: Sunday, January 29, 2017 7:06 PM

To: Cummings, Kevin J Cc: Parascandola, Ciro A Subject: RE: Executive Order

I will double-check but management should already have access.

Steven Viger
Adjudications Officer (Policy)
Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Ave., NW



(b)(6)

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From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 7:04 PM

**To:** Viger, Steven W **Cc:** Parascandola, Ciro A **Subject:** RE: Executive Order

Thanks man. I need you to show me how to do it. Those who would need access—at least initially-- would be the OP&S management team highlighted below and all of us.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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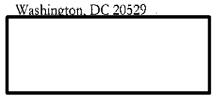
From: Viger, Steven W

Sent: Sunday, January 29, 2017 7:01 PM

**To:** Cummings, Kevin J **Cc:** Parascandola, Ciro A **Subject:** RE: Executive Order

Here's the link: <u>Executive Order</u>. Depends who all needs access. If it's just BFWD folks, that's easy. If it's others, just takes time to add the names.

Steven Viger
Adjudications Officer (Policy)
Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Ave., NW



(b)(6)

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From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 5:21 PM

**To:** Viger, Steven W **Cc:** Parascandola, Ciro A **Subject:** FW: Executive Order

Importance: High

Is giving various people editing permission for the ECN link a hassle? Thanks man.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy

#### Department of Homeland Security

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From: Deshommes, Samantha L

Sent: Sunday, January 29, 2017 3:58 PM

**To:** Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

RCD's questions, timing guidance, etc. is attached.

Forms/PRA: In short, form changes can be accomplished via an emergency approval action, which in comparison with the normal process is quicker, but requires a duplicate action. OMB approval under emergency approval is only valid for 6 months so we'd have to restart the normal process (60- and 30-day Notices) immediately. The speed with which we can submit such actions to OMB depend on the speed with which legal guidance is provided to allow for firm decisions on form changes, additional form questions, etc.; the speed with which OIDP can provide the amended form instruments; and the speed with which IT and OIDP can schedule the revised forms for intake.

Regs: I think the most appropriate timeline to use is the average time it took for us to draft and publish EA-related rulemakings (approx. 12-16 months for drafting, clearing publishing the NPRM, and approx. 6-8 months to consider comments, draft, clear, and publish the final rule). Notice that I didn't opine on the effective date of the reg (which, usually is 30-60 days from the date the final rule publishes). However, the effective date is most dependent on the needs of IT and OIDP schedules.

Additional questions and comments are provided in the attached. Btw, under the assumption this will be posted on the OP&S ECN. I shortened the filename.

Larry: Just a suggestion...Many of the directives in the EO (uniform identify verification) may require new regs and/or workload for both FDNS and IRIS, and I noticed that IRIS wasn't looped in on the email chain forward from Dan. Maybe you should reach out to Tammy to give her a heads-up. Just a suggestion...

Sam

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 3:31 PM

**To:** Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

I defer to you all f	or all counting matters	- I'm glad you all pi	icked it up; I don't	know why 6 was	stuck in my
head.	-		•	•	•

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 3:28:37 PM

**To:** Levine, Laurence D; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Not to be a stickler for details, but isn't it 7 countries?

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 2:39 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

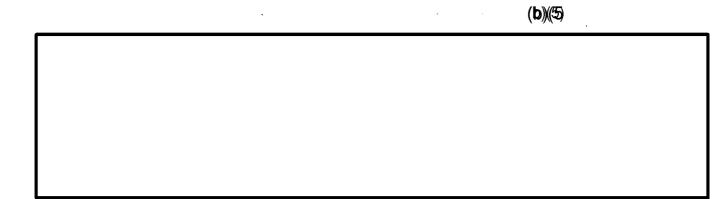
Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services

	( <b>b</b> )(6)
	nderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; scar Y; Tynan, Natalie S
Attached is the stay order coming our way.	from last night. I've also heard that mandamus actions regarding the EO holds may be
•	
	·
Larry Levine Acting Chief Office of Policy & Strate U.S. Citizenship and Imm Department of Homeland	nigration Services
	2017 1:11:27 PM Jummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Scar Y; Tynan, Natalie S
existing exemptions to The about entry vs admission,	of TRIG exemptions that nothing in the EO prevents the continued application of the RIG cases while that consideration process takes place. Similar to Kathryn's point, while I understand the desire to make sure we are not moving forward on cases we we should also be careful not to over-read the EO's directives.
	2017 7:51:47 AM vine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; obert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, fynan, Natalie S
'll look more closely at the	chart, but upon first glance and after reading the chain below, I wanted to raise a couple



- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
  - 2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

#### Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services

Penartment of Homeland Security	

(b)(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes Chief, Regulatory Coordination Division USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

**Sent:** Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Stattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud. Daniel M.

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renoud
Acting Deputy Director
US Citizenship & immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel Chief, International Operations Division U.S. Citizenship and Immigration Services



From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can'I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

(b)(5)

FYI. I think Andrew might be right in terms of what is meant but



From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person  We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications
on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.
Thanks,
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington DC 20529
(b))(6)

### Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 3:04 PM

To:

Deshommes, Samantha L; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E;

Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

RE: Executive Order

Thanks Sam - there's some other chain that Tammy was on.

Larry Levine Acting Chief Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Sunday, January 29, 2017 3:58:09 PM

To: Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

RCD's questions, timing guidance, etc. is attached.

Forms/PRA: In short, form changes can be accomplished via an emergency approval action, which in comparison with the normal process is quicker, but requires a duplicate action. OMB approval under emergency approval is only valid for 6 months so we'd have to restart the normal process (60- and 30-day Notices) immediately. The speed with which we can submit such actions to OMB depend on the speed with which legal guidance is provided to allow for firm decisions on form changes, additional form questions, etc.; the speed with which OIDP can provide the amended form instruments; and the speed with which IT and OIDP can schedule the revised forms for intake.

Regs: I think the most appropriate timeline to use is the average time it took for us to draft and publish EA-related rulemakings (approx. 12-16 months for drafting, clearing publishing the NPRM, and approx. 6-8 months to consider comments, draft, clear, and publish the final rule). Notice that I didn't opine on the effective date of the reg (which, usually is 30-60 days from the date the final rule publishes). However, the effective date is most dependent on the needs of IT and OIDP schedules.

Additional questions and comments are provided in the attached. Btw, under the assumption this will be posted on the OP&S ECN, I shortened the filename.

Larry: Just a suggestion...Many of the directives in the EO (uniform identify verification) may require new regs and/or workload for both FDNS and IRIS, and I noticed that IRIS wasn't looped in on the email chain forward from Dan. Maybe you should reach out to Tammy to give her a heads-up. Just a suggestion...

Sam

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 3:31 PM

**To:** Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I defer to you all for all counting matters - I'm glad you all picked it up; I don't know why 6 was stuck in my head.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 3:28:37 PM

**To:** Levine, Laurence D; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalle S

Subject: RE: Executive Order

Not to be a stickler for details, but isn't it 7 countries?

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

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Sent: Sunday, January 29, 2017 2:39 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 1:19:08 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Attached is the stay order from last night. I've also heard that mandamus actions regarding the EO holds may be coming our way.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Prelogar, Brandon B

Sent: Sunday, January 29, 2017 1:11:27 PM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives.

From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

**(b)**(5)

Kathryn

Kathryn Anderson
Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services  Department of Homeland Security
(b)(6)
<u> </u>
From: Cummings, Kevin J Sent: Sunday, January 29, 2017 6:30 AM To: Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen
A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S  Subject: RE: Executive Order
The I-129 and I-539 will definitely be affected.
Kevin
Kevin J. Cummings Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy Department of Homeland Security
This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.
From: Levine, Laurence D
Sent: Sunday, January 29, 2017 6:29 AM  To: Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S
Subject: RE: Executive Order
Thanks Sam
Theires our
·
Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate 1 U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

**Subject:** RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde

#### **DHS USCIS**

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud

Associate Director | Field Operations Directorate

U.S. Citizenship and Immigration Services

Department of Homeland Security

From: Renaud, Tracy L.

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

**Subject:** RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel	
Chief, International Operations Div	vision
U.S. Citizenship and Immigration S	Services
	( <b>b</b> )( <b>6</b> )

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

**Subject:** RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higglns, Jennifer

Cc: Renaud, Tracy L; McCament, James W

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k, and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Services	
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	<b>(b)</b> ((5)
FYI. I think Andrew might be right in terms of what is meant but	· 
From: Davidson, Andrew J	
Sent: Friday, January 27, 2017 12:37 PM  To: Renaud, Tracy L.  Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L.  Subject: Executive Order	
Тгасу,	
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Thanks,	
Andrew Davidson Acting Deputy Associate Director	
Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services	
U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington DC 20529	
(b))(6)	

### Gillispie, Anna E

From:

Tynan, Natalie S

Sent:

Sunday, January 29, 2017 3:02 PM

To:

Deshommes, Samantha L; Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L;

Silwany, Oscar Y

Subject:

RE: Executive Order

Great comment, Sam and Jerry.

Natalie S. Tynan Senior Advisor USCIS, Office of Policy & Strategy 20 Massachusetts Ave. Washington, DC



(b)(6)

From: Deshommes, Samantha L

Sent: Sunday, January 29, 2017 3:58 PM

**To:** Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

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Larry: Just a suggestion...Many of the directives in the EO (uniform identify verification) may require new regs and/or workload for both FDNS and IRIS, and I noticed that IRIS wasn't looped in on the email chain forward from Dan. Maybe you should reach out to Tammy to give her a heads-up. Just a suggestion...

Sam

Samantha Deshommes Chief, Regulatory Coordination Division USCIS. Office of Policy & Strategy

(b)(6)

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Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

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Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Denartment of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 3:28:37 PM

**To:** Levine, Laurence D; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Not to be a stickler for details, but isn't it 7 countries?

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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Subject: RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(**b**)(**6**)

From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 1:19:08 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** RE: Executive Order

Attached is the stay order from last night. I've also heard that mandamus actions regarding the EO holds may be coming our way.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

**From:** Prelogar, Brandon B

Sent: Sunday, January 29, 2017 1:11:27 PM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives.

From: Anderson, Kathryn E
Sent: Sunday, January 29, 2017 7:51:47 AM  To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S  Subject: RE: Executive Order
I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:
(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.
Kathryn
Kathryn Anderson Acting Chief, International and Humanitarian Affairs Division Office of Policy and Strategy, U.S. Citizenship and Immigration Services Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The 1-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate

## U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services



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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel

Chief, International Operations Division

U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Se	ervices
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	( <b>b</b> ))(5)
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Sclalabba, Lori L Subject: Executive Order	
Тгасу,	
It is my understanding that POTUS will sign the "Protecting the National at 4:30pm. In complying with the EA I believe we need immeday suspension of processing immigrants and non-immigrants from extends to processing of permanent resident applications. Though into the United States", once we grant an adjustment we "admit"	nediate clarification in Section 3 (c) relative to the 30 cm the designated countries of interest and if this h the EA states "immigrant and non-immigrant entry" (b)
our product lines. If this is the case then Don and Dan will need to on hold. Other than the refugee suspension that appears fully de- clarification we need relative to the EAs.	get guidance to the Field to put these adjudications
Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529	
( <b>b</b> )/( <b>6</b> )	

# Gillispie, Anna E

From:

Deshommes, Samantha L

Sent:

Sunday, January 29, 2017 2:58 PM

To:

Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

RE: Executive Order

**Attachments:** 

Executive Order - 01272017\_RCD.docx

RCD's questions, timing guidance, etc. is attached.

Forms/PRA: In short, form changes can be accomplished via an emergency approval action, which in comparison with the normal process is quicker, but requires a duplicate action. OMB approval under emergency approval is only valid for 6 months so we'd have to restart the normal process (60- and 30-day Notices) immediately. The speed with which we can submit such actions to OMB depend on the speed with which legal guidance is provided to allow for firm decisions on form changes, additional form questions, etc.; the speed with which OIDP can provide the amended form instruments; and the speed with which IT and OIDP can schedule the revised forms for intake.

Regs: I think the most appropriate timeline to use is the average time it took for us to draft and publish EA-related rulemakings (approx. 12-16 months for drafting, clearing publishing the NPRM, and approx. 6-8 months to consider comments, draft, clear, and publish the final rule). Notice that I didn't opine on the effective date of the reg (which, usually is 30-60 days from the date the final rule publishes). However, the effective date is most dependent on the needs of IT and OIDP schedules.

Additional questions and comments are provided in the attached. Btw, under the assumption this will be posted on the OP&S ECN, I shortened the filename.

Larry: Just a suggestion...Many of the directives in the EO (uniform identify verification) may require new regs and/or workload for both FDNS and IRIS, and I noticed that IRIS wasn't looped in on the email chain forward from Dan. Maybe you should reach out to Tammy to give her a heads-up. Just a suggestion...

Sam

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(D))((G)

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 3:31 PM

**To:** Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

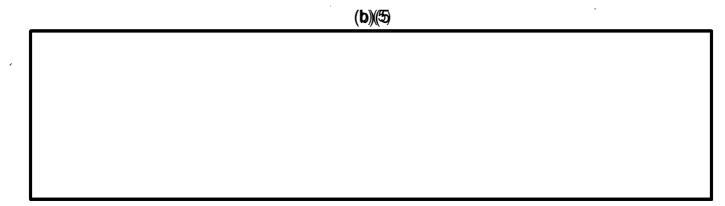
Subject: RE: Executive Order

I defer to you all for all counting matters - I'm glad you all pichead.	cked it up; I don't know why 6 was stuck in my
Larry Levine Acting Chief Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security (b)(6)	
From: Cummings, Kevin J Sent: Sunday, January 29, 2017 3:28:37 PM To: Levine, Laurence D; Prelogar, Brandon B; Anderson, Kathryn E (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Pa Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order  Not to be a stickler for details, but isn't it 7 countries?	
Kevin	
Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security	
This email, along with any attachments, is intended solely for the use of the addr by applicable law. Unauthorized use or dissemination of this email and any attac please notify the sender and delete or destroy all copies. Thank you.	· · · · · · · · · · · · · · · · · · ·
From: Levine, Laurence D Sent: Sunday, January 29, 2017 2:39 PM To: Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Pa Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order	

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services

Department of Home	eland Security (b)(6)
<b>To:</b> Prelogar, Brandon (Jenna); Dunn, Maure	y 29, 2017 1:19:08 PM B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L en A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; ny, Oscar Y; Tynan, Natalie S
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'll look more closely a hings:	t the chart, but upon first glance and after reading the chain below, I wanted to raise a couple (b



- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f), of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
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Kathryn

#### Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services

<u>Denartment o</u>	<u>f Homeland :</u>	Security	

(b)(6)

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Sent: Sunday, January 29, 2017 6:30 AM

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Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

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Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

(b)(6)

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy
Tel:

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

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Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

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Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

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Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud Acting Deputy Director US Citizenship & Immigration Services Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel Chief, International Operations Division U.S. Citizenship and Immigration Services



From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Hlggins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

(**b**)(5)

FYI. I think Andrew might be right in terms of what is meant but



· (D)((2)	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM	
To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	
It is my understanding that POTUS will sign the "Protecting the today at 4:30pm. In complying with the EA I believe we need day suspension of processing immigrants and non-immigrant extends to processing of permanent resident applications. The into the United States", once we grant an adjustment we "ad	immediate clarification in Section 3 (c) relative to the 30 ts from the designated countries of interest and if this nough the EA states "immigrant and non-immigrant entry"
our product lines. If this is the cose then Don and Don will be	We just need to clarify if by extension this applies to
our product lines. If this is the case then Don and Dan will need on hold. Other than the refugee suspension that appears fully	
clarification we need relative to the EAs.	
Thanks,	
Andrew Davidson	,
Acting Deputy Associate Director	
Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services	
U.S. Department of Homeland Security	
111 Massachusetts Avenue, NW	
Washington, DC 20529	
	,
( <b>b</b> )(6)	

Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

POLICY: It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

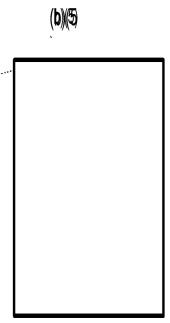
### **GENERAL OBJECTIVES:**

- Be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they
  have no ties to terrorism.
- Ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles
- We cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law
- We should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation

Date conversions	
Days from order	Date
30	2/26
60	3/28
90	4/27
100	5/7
120	5/27
180	7/26
200	8/15

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments			
Section 3: Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern									
3a	DHS	Review	Determine information	Immediate		_			
	1		needed from any country to						
	In consultation with		adjudicate any visa, admission						
	DOS/DNI		or benefit under the INA in						
			order to determine that the						
			individual seeking the benefit						
	+		is who the individual claims to						
			be and is not a security or						
			public safety threat.						

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
3b	DHS	Report	Information identified in review under 3a	30 days from Jan 27	Report to President Copy to DOS/DNI	
3c	DH\$/DOS	Suspend	Admission of immigrants and nonimmigrants from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya	For 90 days from Jan 27	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130,?  2. Should we deschedule oath ceremonies for individuals from the 7?  3. How do we handle N-400s 120+ days from interview?  4. Should we stop RFEs?  5. Should we stop scheduling interviews?  6. What about change of status from other NIV categories to NATO visas, C-2 travel visas (UN) and G-1, G-2, G-3, and G-4 visas?  7. What about change of status for NIVs for these countries?
3d	DOS	Request	Secretary shall request all foreign governments that do not supply information Identified in 3a review to provide such information.	Immediately following report in 3b	Foreign governments will be given 60 days to begin providing information	
3e	In consultation with DOS	Recommendation	Recommend countries whose foreign nationals would be prohibited entry to the United States due to the country's failure to provide information requested by the U.S. as described in 3d	After 60 day period outlined in 3d	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	
3g*					*Exception: DH\$ and DOS may on a case-by-case and when in national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.	
3f	DHS or DOS	Recommendation	Add countries to list of those whose nationals are prohibited from entering the U.S. due to failure to provide information as requested by the U.S. (3d)	After submission of List Indefinite		
3h	DHS and DÖS	Joint Report	Report progress implementing Order	30 days 60 days		



Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments		
				90 days			/	
				120 days			1	
NO -2006	A BAS A ARP WAT	<u> </u>		From Jan 27	The same of the sa	T	/	
Section 4	Implementing Unit	form Screening Stand	lards for All Immigrant Prog	rams		2/3	,	
4a	DHS/DOS/DNI/FBI	Implement Program	To identify individuals	Initial progress		1. Do we need to take any actions prior to	}	
		as part of	seeking to enter US on a	report due within		the "plan" described in section four being		
		adjudications process	fraudulent basis with intent	60 days of Jan 27		developed and implemented?		
		to include	to cause harm, or who are		ļ	2. Who is responsible for developing the		
		development of:	at risk of causing harm			plan? 3. Might this functionality [database to		
			subsequent to admission.			collect identity documents] already exist		
		. 11-16				and be implemented?		
		Uniform screening standard and				4. Would these [amended application forms]		
		procedure, such as				be internal worksheets and not OMB		
		interviews				cleared changes to existing forms?		
		III CI II CW3				5. (Regarding mechanism to ensure	Ŋ	
		Database	Capture identity		1	applicant's claimed identity] Beyond existing measures/capabilities? Enhanced	, i	
			documents proffered by			data share?	1	
			applicants and prevent			John State .	}	
			duplicate documents from					
			being used by multiple					
			applicants					
		Amended	To add questions aimed at					
		Application Forms	identifying fraudulent					
			answers and malicious					
			intent				ļ.	
}		Mechanism	To ensure applicant is who				<i>\</i>	
1		- WECHGIISH	the applicant claims to be				1	
			the apprent control to be		]		,	
					,			
		<ul> <li>Process</li> </ul>	To evaluate the applicant's					
			likelihoud of becoming a					
			positively contributing					
			member of society and the		1			
			applicant's ability to make		•			
			contributions to the					
İ			national interest		1	İ	1	
							1	
		a Machanian	. To green (c.ksk				1	
1		Mechanism	To assess whether or not the analyzet has the intent				1	
			the applicant has the intent to commit criminal or					
1			terrorist acts after entering					
			the U.S.					
L-		<u> </u>	1710 Quigi	<u></u>	<u> </u>	<u> </u>	J	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
4b	DHS/DOS/DNI/FBI	Report	Report progress of initiatives under 4a	Within 60 days, 100 days, 200 days of Jan 27	Report to President	
Sec.5.,Re	alignment of the U.S.	Refugee Admissions Pr	ogram for Fiscal Year 2017	Con Sugar		The state of the s
5a	DOS	Suspend the USRAP program		For 120 days from Jan 27		
5a	DOS In consultation with DHS/DNI	Review	Review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States	Within 120 days of Jan 27		
Sa	In consultation with DHS/DNS	Implement	Implement procedures identified during review	Within 120 days of Jan 27	Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures.	
Sa Sa	DOS	Resume USRAP		120 days after order	Limited to nationals of countries for which the DHS/DOS/DNI have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States	
5b	DOS In consultation with DHS	Prioritize Refugee Claims	Prioritize claims made by individuals on the basis of religious-based persecution.		Individual's religion must be a minority religion in the individual's country of nationality.	
5b	DOS/DHS	Recommend Legislation	To support prioritization of refugee claims as noted immediately above.			
Se Se Exception	President	Suspend admission of Syrian refugees		Until the president determines sufficient changes have been made to USRAP to ensure admission of Syrian Refugees is consistent with the national interest.	Exception: DHS/DDS have discretion to jointly determine to admit individuals to the United States as refugees on a case-by-case basis only so long as they determine that the admission of such individuals as refugees is in the national interest — including when the person is a refigious minority	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
				*	facing religious persecution, when admitting the person would enable the United States to conform its conduct to a preexisting international agreement, or when the person is already in transit and denying admission would cause undue hardship — and it would not pose a risk to the security or welfare of the United States.	
5d	President	Limit refugee admissions to 50,000 in FY 2017		Until such time as the president determines that additional admissions would be in the national interest		
5f	DOS	Report	Progress of prioritization of claims under 5(b)	Within 100 days and 200 days of Jan 27		
Sg	DHS	Determine based on existing faw	Extent to which state and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions			
5g	DHS	Propose	Plan to involve state/local jurisdictions in refugee resettlement process			
Sec. 6: Re	scission of Exercise of	Authority Relating to t	he Terrorism Grounds of Inad	missibility		1 1 0 0 a
6a	DOS/DHS In consultation with	Review and consider rescinding	Authorities under INA 212 (8 USC 1182) relating to TRIG and related memoranda	Undefined		Should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming
Sec. 7. Ex	pedited Completion of	the Biometric Entry-E	kit Tracking System.	100		
7a	DHS	Expedite completion and implementation of a biometric entry-exit tracking system for all travelers to the United States			Recommended by the National Commission on Terrorist Atlacks Upon the United States	
7b	DHS	Report	Progress on directive in 7a	Within 100 days 200 days and 365		

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
				days of Ian 27 and every 180 days thereafter until the system is fully deployed and operational.		
			e avjoj dine vyn			regio segri son sole sulle
SEC STATE	glinterview Security, (	003			Y N A	
8a	D05	Suspend	VIsa Interview Waiver Program	Immediately	Require in-person interview for all individuals seeking a NIV, subject to statutory exceptions	
8b	DOS	Expand	Consular Fellows Program		To extent permitted by law and by available appropriations: substantially increase the number of fellows; lengthening or making the period of service permanent; make language services (FSI) available to	
832 9.W	aValidity Reciprocity					<del> </del>
	DOS	Review and align	To the extent practicable, ensure visa reciprocity agreements for each visa classification are truly reciprocal. If not reciprocal, adjust the visa validity period, fee schedule, or other treatment to match the treatment of United States nationals by the foreign country.		As applies to validity period and fees, as required by sections 221(c) and 281 of the INA, 8 U.S.C. 1201(c) and 1351, and other treatment	
Sec. 10/11	ransparency and Data	Collection	in the state of th	7	H G	
10a	DHS In consultation with Attorney General	Collect and Publish Information	Number of foreign nationals in the United States who have been:  charged with terrorism-related offenses while in the United States;  convicted of terrorism-related offenses while in the United States;  removed from the United States based on terrorism-	Within 180 days and every 180 days thereafter	Data since the date of this order or the last reporting period, whichever is later	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
			related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons  radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States  information regarding the number and types of acts of gender-based violence against women, including honor killings,  any other information relevant to public safety and security, including information on the immigration status of foreign nationals charged with major offenses			
11b	DOS	Report	Estimated long term costs of USRAP at Federal, State and Local levels	Within one year of Jan 27		

Page 3: [1] Comment [SLD2]	Deshommes, Samantha L	3	1/29/2017 3:36:00 PM
Page 3: [2] Comment [SLD3]	Deshommes, Samantha L	$A^{\mu\nu}$ , $B^{\mu\nu}$ , $I$	1/29/2017 3:11:00 PM
	<del>`</del>		

(b)(5)

# Gillispie, Anna E

From:

Tynan, Natalie S

Sent:

Sunday, January 29, 2017 2:02 PM

To:

Deshommes, Samantha L; Hamilton, Cristina A; Levine, Laurence D; Prelogar, Brandon B;

Cummings, Kevin J; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Lee, Robert E;

Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject:

RE: Executive Order

Thanks Sam and fair point

From: Deshommes, Samantha L

Sent: Sunday, January 29, 2017 2:59:57 PM

To: Tynan, Natalie S; Hamilton, Cristina A; Levine, Laurence D; Prelogar, Brandon B; Cummings, Kevin J; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y
Subject: RE: Executive Order

Yes, he did but even on Meet the Press he seemed to waiver on that point and stressed the discretion that CBP has to take additional steps. Looking at the EO and providing RCD questions/comments now.

Samantha Deshommes

Chief, Regulatory Coordination Division

USCIS, Office of Policy & Strategy

(b)(6)

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From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 2:58 PM

**To:** Hamilton, Cristina A; Levine, Laurence D; Prelogar, Brandon B; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y **Subject:** RE: Executive Order

Yes, Priebus announced that on the news today. I don't know that there is an official release.

From: Hamilton, Cristina A

**Sent:** Sunday, January 29, 2017 2:57:33 PM

**To:** Levine, Laurence D; Prelogar, Brandon B; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L;

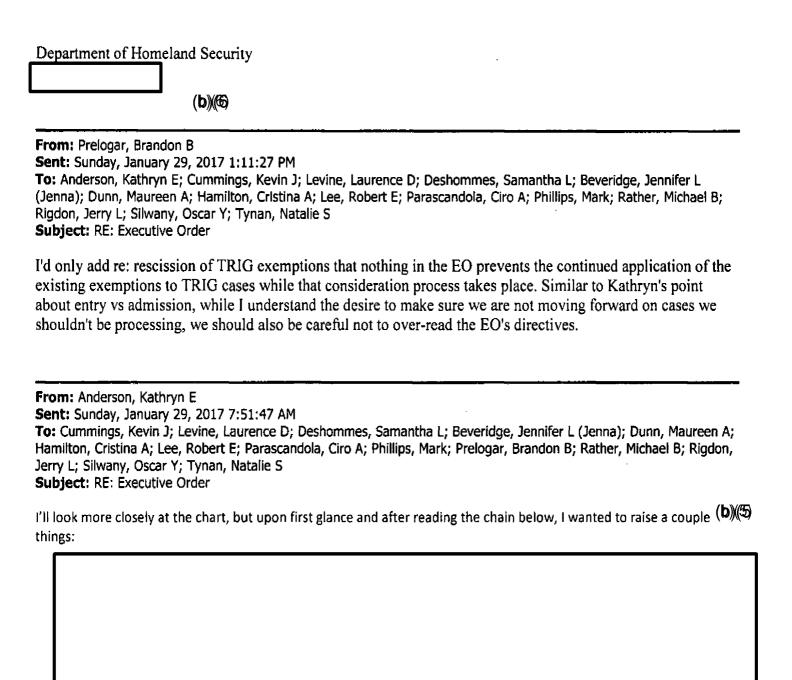
Silwany, Oscar Y; Tynan, Natalie S **Subject:** RE: Executive Order

That's very significant—is that from the news? How was/is that being officially conveyed to/within DHS?

Just so we're all on the same page, it's seven countries, as follows:

Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. Cristina Hamilton Chief, National Security and Benefits Integrity Division Office of Policy and Strategy, USCIS (b)(6) This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you. **From:** Levine, Laurence D Sent: Sunday, January 29, 2017 2:39 PM To: Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries. Larry Levine **Acting Chief** Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security (b)(6) From: Levine, Laurence D Sent: Sunday, January 29, 2017 1:19:08 PM To: Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order Attached is the stay order from last night. I've also heard that mandamus actions regarding the EO holds may be coming our way.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services



(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn Anderson	
Acting Chief, International and Humanitarian Af	fairs Division
Office of Policy and Strategy, U.S. Citizenship an	d Immigration Service
Department of Homeland Security	
	( <b>b</b> )( <b>6</b> 6
	17/( 7

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L.

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS. Office of Policy & Strategy

(b)(65)

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Sent: Saturday, January 28, 2017 8:28:08 PM

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Subject: FW: Executive Order

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Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

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I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate 1 U.S. Citizenship and Immigration Services

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For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

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Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

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Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

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Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

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Tracy L. Renaud Acting Deputy Director US Citizenship & Immigration Services (b)(6)

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We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

(b)(6)

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And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

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Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W **Subject:** RE: Executive Order I think that's o.k. and going forward don't schedule these for interviews. From: Renaud, Daniel M **Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W **Subject:** RE: Executive Order If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday. Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security | U.S. Citizenship and Immigration Services From: Scialabba, Lori L **Sent:** Friday, January 27, 2017 12:43 PM **To:** Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M (b)(5) Subject: FW: Executive Order FYI. I think Andrew might be right in terms of what is meant but From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM

To: Renaud, Tracy L

Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L

**Subject:** Executive Order

Tracy,

It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry (b))(5)

into the United States", once we grant an adjustment we "admit" that person.

We just need to clarify if by extension this applies to

our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent

clarification we need relative to the EAs.

Thanks,

Andrew Davidson

Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529
<b>/L</b> »/

### Gillispie, Anna E

From:

Tynan, Natalie S

Sent:

Sunday, January 29, 2017 1:58 PM

To:

Hamilton, Cristina A; Levine, Laurence D; Prelogar, Brandon B; Cummings, Kevin J;

Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Lee, Robert E;

Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject:

RE: Executive Order

Yes, Priebus announced that on the news today. I don't know that there is an official release.

From: Hamilton, Cristina A

Sent: Sunday, January 29, 2017 2:57:33 PM

**To:** Levine, Laurence D; Prelogar, Brandon B; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L;

Silwany, Oscar Y; Tynan, Natalie S **Subject:** RE: Executive Order

That's very significant—is that from the news? How was/is that being officially conveyed to/within DHS?

Just so we're all on the same page, it's seven countries, as follows:

Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya.

Cristina Hamilton
Chief, National Security and
Benefits Integrity Division
Office of Policy and Strategy, USCIS

(b)(6)

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 2:39 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine Acting Chief Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 1:19:08 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L' (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Attached is the stay order from last night. I've also heard that mandamus actions regarding the EO holds may be coming our way.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Prelogar, Brandon B

Sent: Sunday, January 29, 2017 1:11:27 PM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives.

From: Anderson, Kathryn E

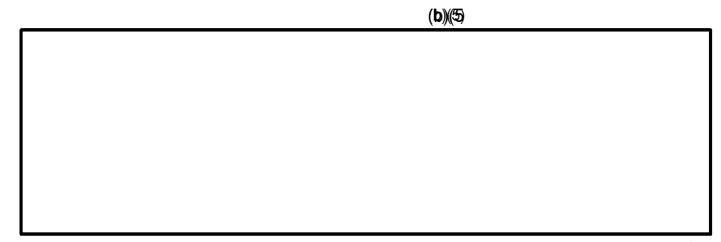
Sent: Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beverldge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:



(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C., 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

### Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division Office of Policy and Strategy, U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

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Thanks Sam

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Office of Policy & Strategy
U.S. Citizenship and Immigration Services
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Field Operations Directorate | U.S. Citizenship and Immigration Services

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Joanna Ruppel Chief, International Operations Division U.S. Citizenship and Immigration Services (**b**))(6)

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From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Danlel M; Hlggins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

**Subject:** RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

FYI. I think Andrew might be right in terms of what is meant but

9

(b)(5)

( <b>b</b> )/(5)	
From: Davidson, Andrew J	
Sent: Friday, January 27, 2017 12:37 PM	•
To: Renaud, Tracy L	
Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L  Subject: Executive Order	

Tracy,

It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry" (b)

into the United States", once we grant an adjustment we "admit" that person.

We just need to clarify if by extension this applies to

our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529

Washington, DC 20529

(b)(6)

## Gillispie, Anna E

From:	Levine, Laurence D
Sent:	Sunday, January 29, 2017 1:45 PM
То:	Hamilton, Cristina A; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S
Subject:	RE: Executive Order
Thanks Cris - yeah a	s much sharing as we can.
<i>C</i>	-
· .	
Larry Levine	
Acting Chief	
Office of Policy & S	trategy
U.S. Citizenship and	Immigration Services
Department of Home	eland Security
	(b))(6)

From: Hamilton, Cristina A

**Sent:** Sunday, January 29, 2017 2:43:02 PM

To: Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Ok, the way I plan to proceed, which I think is consistent with what you want, Larry, is that I will be going through the very helpful chart that Shannon provided, and filling in questions I have on the provisions in the column for Questions. So it's clear which division is raising the question I am going to edit the column to label it NSBI Questions. I'll send that to the entire group for visibility when completed—sometime this evening.

I'm assuming Natalie will then roll-up all the questions each of us submits-- weeding out duplicative questions-- into a master chart for OP&S. Larry, I recommend that you send to Jess for the use of D1/D2, (consistent with D1s request for consolidated questions from components—we weren't asked but they should be made aware of our questions). My understanding/recommendation is that our master chart will be posted to the OP&S ECN (and presumably regularly updated as needed), and used by us for discussions: internal to OP&S; with other components and USCIS or DHS leadership; and for inter-agency discussions.

Cristina Hamilton	
Chief, National Security and	
Benefits Integrity Division	
Office of Policy and Strategy,	USCIS
(b)\(\text{P}\)	

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(66)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M

Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannan E. Slattery

Fiold Contations Directorate | 11.5. Citizenship and Immigration Services

(b)(6)

This email and any attachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

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Cc: Renaud, Tracy L

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Cc: Renaud, Tracy L

Subject: RE: Executive Order

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Subject: RE: Executive Order

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**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

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Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	( <b>b</b> ))(5)
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L	
Subject: Executive Order  Tracy,	
It is my understanding that POTUS will sign the "Protecting the Natoday at 4:30pm. In complying with the EA I believe we need immedialy suspension of processing immigrants and non-immigrants from extends to processing of permanent resident applications. Though into the United States", once we grant an adjustment we "admit"	ediate clarification in Section 3 (c) relative to the 30 m the designated countries of interest and if this the EA states "immigrant and non-immigrant entry (b)
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Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529	
/b\\\\	

## Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 1:39 PM

To:

Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E;

Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine Acting Chief

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 1:19:08 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Attached is the stay order from last night. I've also heard that mandamus actions regarding the EO holds may be coming our way.

Larry Levine

Acting Chief

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Prelogar, Brandon B

Sent: Sunday, January 29, 2017 1:11:27 PM

To: Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L

(Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives.

From: Anderson, Kathryn E

**Sent:** Sunday, January 29, 2017 7:51:47 AM

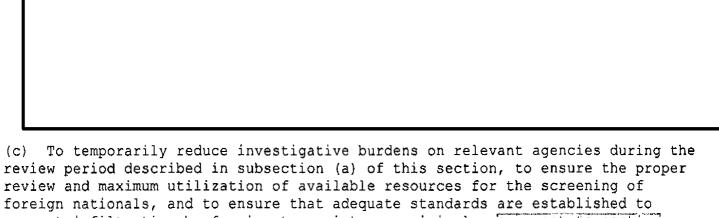
**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

(b)(5)



review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn Anderson Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services  Department of Homeland Security
(b))(6)
From: Cummings, Kevin J Sent: Sunday, January 29, 2017 6:30 AM To: Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureer A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order
The I-129 and I-539 will definitely be affected.
Kevin
Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security
This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protect by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended reciple please notify the sender and delete or destroy all copies. Thank you.
From: Levine, Laurence D Sent: Sunday, January 29, 2017 6:29 AM To: Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureer A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order
Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

**Sent:** Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

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Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

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Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

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Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

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Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Sluttery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

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Michael Valverde

### **DHS USCIS**

Field Operations Directorate, Deputy Associate Director

(b)(6)

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Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

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Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

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Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

**Subject:** RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel	
Chief, International Operations I	Division
U.S. Citizenship and Immigratio	n Services
	( <b>b</b> )( <b>6</b> )

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

For clarity; what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Service	ces·
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	( <b>b</b> ))(5)
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	
It is my understanding that POTUS will sign the "Protecting the Natio today at 4:30pm. In complying with the EA I believe we need immed day suspension of processing immigrants and non-immigrants from extends to processing of permanent resident applications. Though the into the United States", once we grant an adjustment we "admit" the our product lines. If this is the case then Don and Dan will need to ge on hold. Other than the refugee suspension that appears fully deploy clarification we need relative to the EAs.	the designated countries of interest and if this he EA states "immigrant and non-immigrant entry at person. (b) We just need to clarify if by extension this applies to guidance to the Field to put these adjudications
Thanks,	•
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529	

## Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 12:19 PM

To:

Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L;

Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

RE: Executive Order

Attachments:

StayOrder.pdf

Attached is the stay order from last night. I've also heard that mandamus actions regarding the EO holds may be coming our way.

Larry Levine

Acting Chief

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

**From:** Prelogar, Brandon B

Sent: Sunday, January 29, 2017 1:11:27 PM

To: Anderson, Kathryn E: Cummings, Kevin J: Levine, Laurence D: Deshommes, Samantha L: Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives.

From: Anderson, Kathryn E

**Sent:** Sunday, January 29, 2017 7:51:47 AM

To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:



4

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

#### Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services
Department of Homeland Security

(**b**)(**6**)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

(b)(6)

To: Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

To: Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

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Acting Chief
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U.S. Citizenship and Immigration Services
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Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

**Subject:** RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate 1.U.S. Citizenship and Immigration Services

(b)(6)

This email and any attachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM To: Renaud, Daniel M; Kvortek, Lisette E Cc: Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde

DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

# Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

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(b)(6)

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Joanna Ruppel Chief, International Operations Division U.S. Citizenship and Immigration Services



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Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

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Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

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Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

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Subject: RE: Executive Order

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Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

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Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

**From:** Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

(b)(5)

IVI I think Andrew might he right in terms of what is meant but



From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry" into the United States", once we grant an adjustment we "admit" that person.
We just need to clarify if by extension this applies to
our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.
Thanks,
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529  (b)(6)

UNITED STATES DISTRICT COURT	
EASTERN DISTRICT OF NEW YORK	
######################################	X
	:
	•
HAMEED KHALID DARWEESH and	<b>:</b>
HAIDER SAMEER ABDULKHALEQ	:
ALSHAWI, on behalf of themselves and others	
similarly situated,	:
Petitioners,	: <u>DECISION AND ORDER</u>
	:
- against -	: 17 Civ. 480 (AMD)
	:
DONALD PRINTED B. 11 . Cal. Fi to 1	
DONALD TRUMP, President of the United	•
States; U.S. DEPARTMENT OF	<b>;</b>
HOMELAND SECURITY ("DHS"); U.S.	•
CUSTOMS AND BORDER PROTECTION	•
("CBP"); JOHN KELLY, Secretary of DHS;	:
KEVIN K. MCALEENAN, Acting	,
Commissioner of CBP; JAMES T.	•
MADDEN, New York Field Director, CBP,,	<b>.</b>
	:
Respondents.	
	X

On January 28, 2017, the petitioners filed an Emergency Motion for Stay of Removal on behalf of themselves and others similarly situated.

ANN DONNELLY, District Judge.

IT APPEARING to the Court from the Emergency Motion for Stay of Removal, the other submissions, the arguments of counsel, and the hearing held on the 28th of January, 2017,

The petitioners have a strong likelihood of success in establishing that the removal of the
petitioner and others similarly situated violates their rights to Due Process and Equal
Protection guaranteed by the United States Constitution;

- There is imminent danger that, absent the stay of removal, there will be substantial and irreparable injury to refugees, visa-holders, and other individuals from nations subject to the January 27, 2017 Executive Order;
- The issuance of the stay of removal will not injure the other parties interested in the proceeding;
- 4. It is appropriate and just that, pending completion of a hearing before the Court on the merits of the Petition, that the Respondents be enjoined and restrained from the commission of further acts and misconduct in violation of the Constitution as described in the Emergency Motion for Stay of Removal.

WHEREFORE, IT IS HEREBY ORDERED that the respondents, their officers, agents, servants, employees, attorneys, and all members and persons acting in concert or participation with them, from the date of this Order, are

ENJOINED AND RESTRAINED from, in any manner or by any means, removing individuals with refugee applications approved by U.S. Citizenship and Immigration Services as part of the U.S. Refugee Admissions Program, holders of valid immigrant and non-immigrant visas, and other individuals from Iraq, Syria, Iran, Sudan, Libya, Somalia, and Yemen legally authorized to enter the United States.

IT IS FURTHER ORDERED that to assure compliance with the Court's order, the Court directs service of this Order upon the United States Marshal for the Eastern District of New York, and further directs the United States Marshals Service to take those actions deemed necessary to enforce the provisions and prohibitions set forth in this Order.

Case 1:17-cv-00480 Document 8 Filed 01/28/17 Page 3 of 3 PageID #: 83

SO ORDERED.

Ann M. Donnelly United States District Judge

Dated: Brooklyn, New York January 28, 2017

### Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 11:05 AM

To:

Tynan, Natalie S; Rigdon, Jerry L; Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B;

Silwany, Oscar Y

Subject:

RE: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY

INTO THE UNITED STATES - Service Center Instructions

And here's what I've learned from RAIO: Asylum has notified field leadership that they should arrange to stop any decision-issuance to asylum applicants from the listed countries until they are instructed otherwise. They also told leadership to review their upcoming schedules and prepare to cancel any interviews for nationals from the listed countries. They were told not to actually begin cancelling the interviews until they received further guidance from HQ.

IO is working with front office on guidance for international staff and ongoing refugee interviews. We have greenlight for refugee interviews in Vienna to continue tomorrow

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 12:01:29 PM

**To:** Rigdon, Jerry L; Levine, Laurence D; Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar,

Brandon B; Rather, Michael B; Silwany, Oscar Y

Subject: RE: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED

STATES - Service Center Instructions

Thanks Jerry and Kathryn.

From: Rigdon, Jerry L

Sent: Sunday, January 29, 2017 11:58:25 AM

**To:** Levine, Laurence D; Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Silwany, Oscar Y

Subject: FW: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED

STATES - Service Center Instructions

Here is what Don sent.

Jerry Rigdon
Deputy Chief, Regulatory Coordination Division
Office of Policy and Strategy
USCIS Headquarters

USCIS HEAUUUAHEIS

(b)(6)

From: Neufeld, Donald W

Sent: Saturday, January 28, 2017 11:34:34 AM

**To:** Baran, Kathy A; Campagnolo, Donna P; Crandall, Kristine R; Hazuda, Mark J; McCament, James W; Nolan, Connie L; Richardson, Gregory A; Selby, Cara M (Carrie); Thompson, Kirt; Velarde, Barbara Q; Zuchowski, Laura B; Tamanaha, Emisa T

Cc: Arroyo, Susan K; Bacote, Robert R (Bob); Byrne, Marie L (Louise); Cox, Sophia; Dougherty, Linda M; Douglas, Richard C; Doumani, Stephanie M; Fortes, Michael J; Hartmann, Rosemary M; Hope, Leslie K; Hutchings, Pamela G; Kane, Daniel J; King, Alexander R; La Bella, Magteld H; McCament, James W; McConnell, James E; Moran, Karla; Neufeld, Donald W; Padilla, April Y; Peck, Denis R; Sabga, George M; Thomas, Ronnie D; Watson, Dorcas B (Benita)

Subject: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES - Service Center Instructions

Center Directors and Deputies,

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry immigrants and nonimmigrants who are from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

While we await further guidance, we must temporarily suspend adjudication of all applications, petitions or requests involving citizens or nationals of the listed countries. At this point there are no exceptions for any form types, to include I-90s or I-765s. Please physically segregate any files that are impacted by this temporary hold pending further guidance. As you would expect, we will be developing a weekly report format for you to identify the number and types of cases on hold.

We expect to issue more detailed guidance and procedures in the coming days.

Please ensure this guidance is conveyed as soon as possible to all appropriate employees and get back to us with any questions. Also, please reply to let me know each center has received this message.

Thanks,

Don

Gillispie, Anna E	
From: Sent: To:	Levine, Laurence D Sunday, January 29, 2017 10:57 AM Rigdon, Jerry L; Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalie S Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Silwany, Oscar Y
Subject:	RE: Executive Order
-	ns the operational components are holding everything from the six countries for now and n go forward. I'll continue to keep everyone posted.
Larry Levine Acting Chief Office of Policy & S U.S. Citizenship and Denartment of Home	Immigration Services
<b>To:</b> Levine, Laurence D Samantha L; Beveridge	y 29, 2017 11:43:15 AM D; Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalie S; Deshommes, e, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; lather, Michael B; Silwany, Oscar Y e Order
I've also reached out to	o a couple of SCOPS BCs.
Jerry Rigdon Deputy Chief, Regulate Office of Policy and Str	ory Coordination Division rategy

From: Levine, Laurence D

**USCIS Headquarters** 

**Sent:** Sunday, January 29, 2017 11:26 AM

**To:** Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

(b)(6)

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 11:19:35 AM

**To:** Anderson, Kathryn E; Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beverldge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

I have not seen anything, although Don Neufeld alluded to guidance that he could send out sometime today. Larry, could you check with Don?

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 10:48 AM

**To:** Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

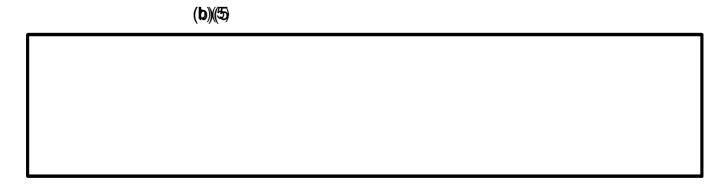
I saw that FOD sent out guidance to the field yesterday indicating that no final action can be taken on any petition or application for a citizen or national of one of the 7 countries, pending further guidance to come. Processing and interviewing can continue, but the case is to be placed on hold before a final decision is made. NPR seems to have picked up on this and reported it. I'm not sure whether SCOPS has issued any guidance. Has anyone seen?

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y <b>Subject:</b> RE: Executive Order
These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.
Larry Levine Acting Chief Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security  (b)(6)
From: Phillips, Mark Sent: Sunday, January 29, 2017 9:25:20 AM To: Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y Subject: RE: Executive Order  Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.
From: Tynan, Natalie S Sent: Sunday, January 29, 2017 8:58:25 AM To: Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y Subject: RE: Executive Order
Thanks all. I really hope we have some legal guidance. There are a lot of issues.
From: Anderson, Kathryn E Sent: Sunday, January 29, 2017 7:51:47 AM To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order
I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:



- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
  - 2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

# Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beverldge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

**d** (b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Philips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalle S

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

**Subject:** FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

**Subject:** RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

**Subject:** RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud

Associate Director | Field Operations Directorate

## U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud		
<b>Acting Deputy Director</b>		
US Citizenship & Immig	ration Services	
Considerant of Homole	ad Security	
	·	
	(b)\/66	

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

**Subject:** RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services
(b))(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

**Subject:** RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

I think the answer to the first two is yes they are impacted for the 7 countries identified.	Not sure about petitions for
beneficiaries abroad. I'll ask.	

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

**(b)**(5)

FYI	I think Andrew might be right in terms of what is meant but	

From: Davidson, Andrew J

Sent: Friday, January 27, 2017 12:37 PM

To: Renaud, Tracy L

Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L

**Subject:** Executive Order

Tracy,

It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person

We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC. 20529

(**b**)

(b)(6)

## Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 10:47 AM

To:

Anderson, Kathryn E; Cummings, Kevin J; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee,

Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L;

Silwany, Oscar Y

Subject:

RE: Executive Order

Thanks K - an N-400 and N-600 ceremony went forward yesterday and they are working to clear guidance about allowing citizenship cases to proceed, but of course I don't really know the details of what that means or who it applies to.

Larry Levine Acting Chief

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 11:37:37 AM

To: Levine, Laurence D; Cummings, Kevin J; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Guidance FOD sent out below:

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:12 AM

To: Cowan, Robert M; Looney, Robert V; Muzyka, Carolyn L; Pietropaoli, Lori A; Redman, Kathy A; Gallagher, Kevin E;

Goodwin, Shelley M; Robinson, Terri A; Tierney, Therese A; Woo, Ellen Y; FOD-DDs-DDDs-COS; FOD-FODs

Cc: Dominguez, Kathleen P; Upchurch, Evelyn M; Kendrick, Rose M; Quimby, Christopher M (Chris); Rinehart, Brett R; Sapko, Jeffrey M; Spencer, Julie C; Young, Claudia F; Valverde, Michael; Neufeld, Donald W; Kvortek, Lisette E; Farnam, Julie E; Slattery, Shannon E; Renaud, Tracy L; Davidson, Andrew J; Scialabba, Lori L

Subject: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES -

Field Operations Instructions

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry immigrants and nonimmigrants who are from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

Effectively immediately and until additional guidance is received, you may not take final action on any petition

or application where the applicant is a citizen or national of Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. Field offices may interview applicants for adjustment of status and other benefits according to current processing guidance and may process petitions and applications for individuals from these countries up to the point where a decision would be made. At that point, cases shall be placed on hold until further notice and will be shelved with specific NFTS codes which will be provided through the Regional Offices. Offices are not permitted make any final decision on affected cases to include approval, denial, withdrawal, or revocation.

Please look for additional guidance later this weekend on how to process naturalization applicants from one of the seven countries listed above who are currently scheduled for oath ceremony or whose N-400s have been approved and they are pending scheduling of oath ceremony.

We expect to issue more detailed guidance and procedures as needed in the coming days. Questions or requests for additional clarification may be directed to the Regional Offices through your chain of command.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 11:26 AM

**To:** Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalle S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Just asked - I'll keep you posted

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 11:19:35 AM

**To:** Anderson, Kathryn E; Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

I have not seen anything, although Don Neufeld alluded to guidance that he could send out sometime today. Larry, could you check with Don?

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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Sent: Sunday, January 29, 2017 10:48 AM

**To:** Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

I saw that FOD sent out guidance to the field yesterday indicating that no final action can be taken on any petition or application for a citizen or national of one of the 7 countries, pending further guidance to come. Processing and interviewing can continue, but the case is to be placed on hold before a final decision is made. NPR seems to have picked up on this and reported it. I'm not sure whether SCOPS has issued any guidance. Has anyone seen?

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Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

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Sent: Sunday, January 29, 2017 9:25:20 AM

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Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar,

Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.

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Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

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To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

(b)(5)

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn Anderson Acting Chief, International and Humanitarian	Affairs Division
Office of Policy and Strategy, U.S. Citizenship Department of Homeland Security	and Immigration Services
	( <b>b</b> )(6)

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Sent: Sunday, January 29, 2017 6:30 AM

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Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummlngs, Kevln J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS. Office of Policy & Strategy

(**b**)(**6**)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

This email and any attachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud Acting Deputy Director US Citizenship & immigration Services



From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel Chief, International Operations I	Division
U.S. Citizenship and Immigration	
	(b)(66)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Danlel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L.

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order
I think that's o.k. and going forward don't schedule these for interviews.
From: Renaud, Daniel M Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order
If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.
Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Services
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order  (b)(5)
FYI. I think Andrew might be right in terms of what is meant but
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person.  We just need to clarify if by extension this applies to
our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson

Acting Deputy Associate Director	
Fraud Detection and National Security	Directorate
U.S. Citizenship and Immigration Servi	ces
U.S. Department of Homeland Security	/
111 Massachusetts Avenue, NW	
Washington, DC 20529	
	(b)\(6

### Gillispie, Anna E

From:

Rigdon, Jerry L

Sent:

Sunday, January 29, 2017 10:43 AM

To:

Levine, Laurence D; Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A;

Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather,

Michael B; Silwany, Oscar Y

Subject:

RE: Executive Order

I've also reached out to a couple of SCOPS BCs.

Jerry Rigdon
Deputy Chief, Regulatory Coordination Division
Office of Policy and Strategy

USCIS Headquarters

(b)(6)

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 11:26 AM

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Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Just asked - I'll keep you posted

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

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Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

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Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

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Subject: RE: Executive Order

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Kathryn

Kathryn Anderson	
Acting Chief, International and Humanitarian Aff	airs Division
Office of Policy and Strategy, U.S. Citizenship and	d Immigration Services
Department of Homeland Security	•
	( <b>b</b> )(6)

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Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

( ) (

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummlngs, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalle S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

**Subject:** RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davldson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

**Subject:** RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer

I think that's o.k. and going forward don't schedule these for interviews.
From: Renaud, Daniel M Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order
If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.
Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Services
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M
Subject: FW: Executive Order  (b)(5)  FYI. I think Andrew might be right in terms of what is meant bu
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L
To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order  Tracy,  It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person
Sent: Friday, January 27, 2017 12:37 PM  To: Renaud, Tracy L  Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L  Subject: Executive Order  Tracy,  It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry"

10

**Cc:** Renaud, Tracy L; Neufeld, Donald W **Subject:** RE: Executive Order

Andrew Davidson

Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW

Washington DC 20529	-
	(b)(6)

### Gillispie, Anna E

From:

Anderson, Kathryn E

Sent:

Sunday, January 29, 2017 10:38 AM

To:

Levine, Laurence D; Cummings, Kevin J; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L;

Silwany, Oscar Y

Subject:

RE: Executive Order

Guidance FOD sent out below:

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:12 AM

**To:** Cowan, Robert M; Looney, Robert V; Muzyka, Carolyn L; Pietropaoli, Lori A; Redman, Kathy A; Gallagher, Kevln E; Goodwin, Shelley M; Robinson, Terri A; Tierney, Therese A; Woo, Ellen Y; FOD-DDs-DDs-COS; FOD-FODs

**Cc:** Dominguez, Kathleen P; Upchurch, Evelyn M; Kendrick, Rose M; Quimby, Christopher M (Chris); Rinehart, Brett R; Sapko, Jeffrey M; Spencer, Julie C; Young, Claudia F; Valverde, Michael; Neufeld, Donald W; Kvortek, Lisette E; Farnam, Julie E; Slattery, Shannon E; Renaud, Tracy L; Davidson, Andrew J; Scialabba, Lori L

**Subject:** Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES - Field Operations Instructions

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry immigrants and nonimmigrants who are from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

Effectively immediately and until additional guidance is received, you may not take final action on any petition or application where the applicant is a citizen or national of Syria, Iraq, Iraq, Somalia, Yemen, Sudan, and Libya. Field offices may interview applicants for adjustment of status and other benefits according to current processing guidance and may process petitions and applications for individuals from these countries up to the point where a decision would be made. At that point, cases shall be placed on hold until further notice and will be shelved with specific NFTS codes which will be provided through the Regional Offices. Offices are not permitted make any final decision on affected cases to include approval, denial, withdrawal, or revocation.

Please look for additional guidance later this weekend on how to process naturalization applicants from one of the seven countries listed above who are currently scheduled for oath ceremony or whose N-400s have been approved and they are pending scheduling of oath ceremony.

We expect to issue more detailed guidance and procedures as needed in the coming days. Questions or requests for additional clarification may be directed to the Regional Offices through your chain of command.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security From: Levine, Laurence D

Sent: Sunday, January 29, 2017 11:26 AM

**To:** Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Just asked - I'll keep you posted

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 11:19:35 AM

**To:** Anderson, Kathryn E; Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

I have not seen anything, although Don Neufeld alluded to guidance that he could send out sometime today. Larry, could you check with Don?

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 10:48 AM

**To:** Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

I saw that FOD sent out guidance to the field yesterday indicating that no final action can be taken on any petition or application for a citizen or national of one of the 7 countries, pending further guidance to come. Processing and interviewing can continue, but the case is to be placed on hold before a final decision is made.

NPR seems to have picked up on this and reported it. I'm not sure whether SCOPS has issued any guidance. Has anyone seen?

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

**Subject:** RE: Executive Order

These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Phillips, Mark

**Sent:** Sunday, January 29, 2017 9:25:20 AM

**To:** Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar,

Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 8:58:25 AM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

**Subject:** RE: Executive Order

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 7:51:47 AM

To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalle S **Subject:** RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:	
(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper	
review and maximum utilization of available resources for the screening of	
foreign nationals, and to ensure that adequate standards are established to	
prevent infiltration by foreign terrorists or criminals, pursuant to section	
212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and	

nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the

interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn Anderson	
Acting Chief, International and Humanitarian A	Affairs Division
Office of Policy and Strategy, U.S. Citizenship a	nd Immigration Service
Department of Homeland Security	-
	( <b>b</b> )(6)

United Nations, and G-1, G-2, G-3, and G-4 visas).

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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Subject: RE: Executive Order

Thanks Sam ·

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

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Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

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Samantha Deshommes
Chief, Regulatory Coordination Division

(b)(6)

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Sent: Saturday, January 28, 2017 8:28:08 PM

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Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

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Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M

Cc: Farnam, Julie E; Kvortek, Lisette E

**Subject:** RE: Executive Order

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Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattory

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

Sent: Saturday, January 28, 2017 11:42 AM To: Renaud, Daniel M; Kvortek, Lisette E Cc: Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde		
DHS USCIS		
Field Operations Direct	orate, Deputy Associate Direct	tor
	( <b>b</b> )( <b>6</b> )	

From: Renaud, Daniel M

**Sent:** Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

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- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

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Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

**Subject:** RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b))(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

# Joanna Ruppel

Chief, International Operations Division

# U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Danlel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	( <b>b</b> )((5)
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	
It is my understanding that POTUS will sign the "Protecting the Nattoday at 4:30pm. In complying with the EA I believe we need immediay suspension of processing immigrants and non-immigrants from extends to processing of permanent resident applications. Though into the United States", once we grant an adjustment we "admit"	ediate clarification in Section 3 (c) relative to the 30 m the designated countries of interest and if this the EA states "immigrant and non-immigrant entry that person.
our product lines. If this is the case then Don and Dan will need to on hold. Other than the refugee suspension that appears fully dep clarification we need relative to the EAs.	
Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529	
(b)(6)	

### Gillispie, Anna E

From:

Anderson, Kathryn E

Sent:

Sunday, January 29, 2017 9:48 AM

To:

Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L;

Silwany, Oscar Y

Subject:

RE: Executive Order

I saw that FOD sent out guidance to the field yesterday indicating that no final action can be taken on any petition or application for a citizen or national of one of the 7 countries, pending further guidance to come. Processing and interviewing can continue, but the case is to be placed on hold before a final decision is made. NPR seems to have picked up on this and reported it. I'm not sure whether SCOPS has issued any guidance. Has anyone seen?

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Phillips, Mark

Sent: Sunday, January 29, 2017 9:25:20 AM

**To:** Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar,

Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.

From: Tynan, Natalle S

Sent: Sunday, January 29, 2017 8:58:25 AM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

**Subject:** RE: Executive Order

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Laure Lo Citaria Carantel Carantel Citaria Carantel Carantel Citaria Carantel C

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple (b)(5) things:

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn	Ande	rson
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Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS. Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M.

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate 1 U.S. Citizenship and Immigration Services

(b)(6)

This email and any attachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde

#### DHS USCIS

Field Operations Directorate, Deputy Associate Director

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?

(b)(6)

- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud

Associate Director | Field Operations Directorate

U.S. Citizenship and Immigration Services

Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Hameland Security

(b))(6)

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Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

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We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel	
Chief, International Operations D	Division
U.S. Citizenship and Immigration	n Services
	(b)(6)

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Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

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Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan. Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

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Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Danlel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

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Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

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Daniel M. Renaud Associate Director, Field Operations Directorat Department of Homeland Security   U.S. Citize	
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; I Subject: FW: Executive Order	Renaud, Daniel M
FYI. I think Andrew might be right in term	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Subject: Executive Order	; Scialabba, Lori L
Tracy,	
today at 4:30pm. In complying with the EA day suspension of processing immigrants	n the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order A I believe we need immediate clarification in Section 3 (c) relative to the 30 and non-immigrants from the designated countries of interest and if this ent applications. Though the EA states "immigrant and non-immigrant entry adjustment we "admit" that person.  We just need to clarify if by extension this applies to
•	on and Dan will need to get guidance to the Field to put these adjudications
on hold. Other than the refugee suspension clarification we need relative to the EAs.	on that appears fully deployed on our end this appears the most urgent
Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Director U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529	rate
	( <b>b</b> )(6)

# Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 9:07 AM

To:

Tynan, Natalie S; Cummings, Kevin J; Parascandola, Ciro A

Subject:

RE: Executive Order

Yeah, thanks guys.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 10:03:52 AM

To: Cummings, Kevin J; Parascandola, Ciro A; Levine, Laurence D

Subject: RE: Executive Order

I agree guys. The major questions that come to mind are legal and operational. We should be prepared to put some of them forward, but from a policy perspective we are gong to have to wait for that guidance before we know what direction to take.

Having said that, it is worth looking at forms because I am sure we will have to make revisions to include vetting questions such as social media. Again though, the vetting aimed at national interest and benefit to this country change the adjudication of petitions.

I appreciate your thoughts so please share as things come up! Clearly this is fluid.

N

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 9:57:36 AM **To:** Parascandola, Ciro A; Levine, Laurence D

Cc: Tynan, Natalie S

Subject: RE: Executive Order

I completely agree. Legal decisions/interpretations are key at the outset.

--Kevin

Kevin J. Cummings

Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Parascandola, Ciro A

Sent: Sunday, January 29, 2017 9:57 AM

To: Levine, Laurence D

Cc: Cummings, Kevin J; Tynan, Natalie S

Subject: RE: Executive Order

Nat.

Kevin and I will might send you a few follow on notes on this, but my question from the EB side is that, while they want to suspend entry of these individuals for the time being, do they also intend for us to hold onto any requests for extensions of stay until the enhanced vetting procedures are in place? The text says "entry" but it's in the section explaining the need to review procedures prior to any benefit being granted. We will send you anything else we can come up with. There is nothing really to state from a strict policy sense, but obviously OCC, SCOPS, the FO et al will like have the same questions regarding exactly what these provisions mean. We have these political advisors on board. They should reach out through their people to the WH to get clarification.

Kevin, you agree?

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(**b**)(**6**)

From: Phillips, Mark

Sent: Sunday, January 29, 2017 9:25:20 AM

**To:** Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 8:58:25 AM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

**Subject:** RE: Executive Order

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn Anderson	
Acting Chief, International and Humanitarian A	Affairs Division
Office of Policy and Strategy, U.S. Citizenship a	and Immigration Services
Department of Homeland Security	_
	(b)\(\text{\\chi}\exiting \(\text{\(\text{\(\text{\(\text{\(\text{\(\text{\(\text{\(\text{\(\text{\(\text{\(\text{\(\text{\(\text{\(\text{\(\text{\(\text{\(\text{\(\text{\\cin\exit

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalle S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks.

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

Sent: Saturday, January 28, 2017 11:42 AM To: Renaud, Daniel M; Kvortek, Lisette E Cc: Farnam, Julie E; Slattery, Shannon E

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

**Subject:** RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

**Subject:** RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel

Chief, International Operations Division

IIS Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

**Subject:** RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

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Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

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**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order	
I think that's o.k. and going forward don't schedule these for inter	views.
From: Renaud, Daniel M Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order	
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Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Se	rvices
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer	
Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	<b>(b)</b> (5)
FYI. I think Andrew might be right in terms of what is meant bu	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM	
To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L	

**Subject:** Executive Order

Tracy,

It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this (b)(5) extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person

We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent

clarification we need relative to the EAs.

Thanks,

**Andrew Davidson** 

Acting Deputy Associate Director	
raud Detection and National Security	Directorate
J.S. Citizenship and Immigration Servi	ces
J.S. Department of Homeland Security	Y
111 Massachusetts Avenue, NW	
Washington, DC 20529	
	( <b>b</b> )( <b>6</b> )

Gillispie, Anna E

From:

Deshommes, Samantha L

Sent:

Saturday, January 28, 2017 10:18 PM

To:

Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips,

Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan,

Natalie S

Subject:

**RE: Executive Order** 

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Samantha Deshommes

Chief, Regulatory Coordination Division

USCIS, Office of Policy & Strategy

(b)(6)

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Larry Levine Acting Chief Office of Policy & Strategy U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

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Field Operations Directorate 1 U.S. Citizenship and Immigration Services



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Field Operations Directorate, Deputy Associate Director

(b)(6)

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Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

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Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services
( <b>L</b> )/( <b>n</b> )
· (D))(©)

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Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

(b)(5)

FYI.	I think Andrew might be right in terms of what is meant but	

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To: Renaud, Tracy L

Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L

**Subject:** Executive Order

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Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW

Washington, DC 20529	
	( <b>b</b> )( <b>6</b> )
	( )( )

#### Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Saturday, January 28, 2017 7:28 PM

To:

Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

FW: Executive Order

**Attachments:** 

Executive Order PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO

THE UNITED STATES - 01272017.docx

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Denartment of Homeland Security

(**b**)(**6**)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M

Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannan E. Sluttery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director
(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Service
(b)((d)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

**Subject:** RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

4

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	(b))(5)
FYI. I think Andrew might be right in terms of what is meant b	ut
From: Davidson, Andrew J	,
Sent: Friday, January 27, 2017 12:37 PM	
To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lorí L	× ·
Subject: Executive Order	
Tracy,	_
It is my understanding that POTUS will sign the "Protecting the today at 4:30pm. In complying with the EA I believe we need in day suspension of processing immigrants and non-immigrants extends to processing of permanent resident applications. Those into the United States", once we grant an adjustment we "adm	nmediate clarification in Section 3 (c) relative to the 30 from the designated countries of interest and if this (b)(5) ugh the EA states "immigrant and non-immigrant entry lit" that person
	We just need to clarify if by extension this applies to
our product lines. If this is the case then Don and Dan will need on hold. Other than the refugee suspension that appears fully of	• •
clarification we need relative to the EAs.	
The short	
Thanks,	
Andrew Davidson	
Acting Deputy Associate Director	
Fraud Detection and National Security Directorate	
U.S. Citizenship and Immigration Services	
U.S. Department of Homeland Security 111 Massachusetts Avenue, NW	
Washington, DC 20529	
(b)(6)	

## Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

POLICY: It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

#### **GENERAL OBJECTIVES:**

- Be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.
- Ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles
- We cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law
- We should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation

Date conversions	
Days from order	Date
30	2/26
60	3/28
90	4/27
100	5/7
120	5/27
180	7/26
200	8/15

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
Section 3	: Suspension of Issu	ance of Visas ar	nd Other Immigration Benefits to	Nationals of C	ountries of Particula	r Concern
3a	DHS	Review	Determine information	Immediate		
			needed from any country to			
	In consultation with		adjudicate any visa, admission			
	DOS/DNI		or benefit under the INA in			
			order to determine that the			
			individual seeking the benefit			
			is who the individual claims to			
			be and is not a security or			
			public safety threat.			

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
3b	DH\$	Report	Information identified in review under 3a	30 days from Jan 27	Report to President Copy to DOS/DNI	
3c	DHS/DOS	Suspend	Admission of immigrants and nonimmigrants from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya	For 90 days from Jan 27	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	<ol> <li>Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130,?</li> <li>Should we deschedule oath ceremonies for individuals from the 7?.</li> <li>How do we handle N-400s 120+ days from interview?</li> <li>Should we stop RFEs?</li> <li>Should we stop scheduling interviews?</li> <li>What about change of status from other NIV categories to NATO visas, C-2 travel visas (UN) andG-1, G-2, G-3, and G-4 visas?</li> <li>What about change of status for NIVs for these countries?</li> </ol>
3d	DOS	Request	Secretary shall request all foreign governments that do not supply information Identified in 3a review to provide such information.	Immediately following report in 3b	Foreign governments will be given 60 days to begin providing information	
3e	In consultation with DOS	Recommendation	Recommend countries whose foreign nationals would be prohibited entry to the United States due to the country's failure to provide information requested by the U.S. as described in 3d	After 60 day period outlined in 3d	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	
3g*					*Exception:  DHS and DOS may on a case-by-case and when in national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.	
3f	DHS or DOS	Recommendation	Add countries to list of those whose nationals are prohibited from entering the U.S. due to failure to provide information as requested by the U.S. (3d)	After submission of List Indefinite		
3h	DHS and DOS	Joint Report	Report progress implementing Order	30 days 60 days		

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments				
				90 days						
				120 days						
		<u> </u>		From Jan 27						
Section 4	Section 4: Implementing Uniform Screening Standards for All Immigrant Programs									
	DHS/DOS/DNI/FBI	Implement Program as part of adjudications process to include development of:	To identify individuals seeking to enter US on a fraudulent basis with intent to cause harm, or who are at risk of causing harm subsequent to admission.	Initial progress report due within 60 days of Jan 27		<ol> <li>Do we need to take any actions prior to the "plan" described in section four being developed and implemented?</li> <li>Who is responsible for developing the plan?</li> <li>Might this functionality [database to</li> </ol>				
		Uniform screening standard and procedure, such as interviews     Database	Capture identity     documents proffered by     applicants and prevent     duplicate documents from     being used by multiple     applicants			collect identity documents] already exist and be implemented?  4. Would these [amended application forms] be internal worksheets and not OMB cleared changes to existing forms?  5. [Regarding mechanism to ensure applicant's claimed identity] Beyond existing measures/capabilities? Enhanced data share?				
		Amended     Application Forms	To add questions aimed at identifying fraudulent answers and malicious intent							
		Mechanism	To ensure applicant is who the applicant claims to be							
		• Process	To evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest							
_		• Mechanism	To assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the U.S.							

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
4b	DHS/DOS/DNI/FBI	Report	Report progress of initiatives	Within 60 days,	Report to President	
			under 4a	100 days,		
				200 days of Jan 27		
Sec. 5. Rea	alignment of the U.S.	Refugee Admissions Pr	ogram for Fiscal Year 2017.			
5a	DOS	Suspend the USRAP		For 120 days from	·	,
		program		Jan 27	<u></u>	
5a	DOS	Review	Review the USRAP application	Within 120 days		
	In consultation with		and adjudication process to	of Jan 27		
	DHS/DNI		determine what additional			
			procedures should be taken to			
			ensure that those approved			
			for refugee admission do not			
		ļ	pose a threat to the security			
			and welfare of the United			
5a	DOS	Implement	States Implement procedures	Within 120 days	Refugee applicants who are	
Ja	003	implement	identified during review	of Jan 27	already in the USRAP process	
	In consultation with		Inclinica agring (Calca	01701127	may be admitted upon the	
	DHS/DNS				initiation and completion of	
	0,10,0110				these revised procedures.	
5a	DOS	Resume USRAP		120 days after	Limited to nationals of	
-				order	countries for which the	
					DHS/DOS/DNI have jointly	
					determined that such	
					additional procedures are	
					adequate to ensure the	
					security and welfare of the	
					United States	
5b	DOS	Prioritize Refugee	Prioritize claims made by		Individual's religion must be a	
		Claims	individuals on the basis of		minority religion in the	
'	In consultation with		religious-based persecution.		individual's country of	
	DHS				nationality.	
Sb	DOS/DHS	Recommend	To support prioritization of			
		Legislation	refugee claims as noted			
5c	President	Suspend admission of	immediately above.	Until the	Exception:	
<b>3</b> C	riestuent	Syrian refugees		president	DHS/DOS have discretion to	
,		Jyllan relugees		determines	jointly determine to admit	
5e				sufficient changes	individuals to the United	
Exception				have been made	States as refugees on a case-	
				to USRAP to	by-case basis only so long as	
				ensure admission	they determine that the	
				of Syrian Refugees	admission of such individuals	
				is consistent with	as refugees is in the national	
		Ì		the national	interest – including when the	
				interest.	person is a religious minority	
					in his country of nationality	<u> </u>

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
				· <u>-</u>	facing religious persecution,	
					when admitting the person	
					would enable the United	
					States to conform its conduct	
					to a preexisting international	
		i			agreement, or when the	
					person is already in transit	
					and denying admission would	
					cause undue hardship — and it	
					would not pose a risk to the	
					security or welfare of the	
					United States.	
5d	President	Limit refugee		Until such time as		
		admissions to 50,000		the president		
	1	in FY 2017		determines that		
				additional		
				admissions would		
				be in the national		
				interest		
Sf	DOS	Report	Progress of prioritization of	Within 100 days		
			claims under 5(b)	and		
			Faces Physics	200 days of Jan 27	<u> </u>	
5g	DHS	Determine based on	Extent to which state and			
		existing law	local jurisdictions may have			
			greater involvement in the process of determining the			
	1		placement or resettlement of			
			refugees in their jurisdictions			
5g	DHS	Propose	Plan to involve state/local		<u> </u>	
"			jurisdictions in refugee			
			resettlement process			
Sec. 6. Re	scission of Exercise of	Authority Relating to t	he Terrorism Grounds of Inad	missibility		
6a	DOS/DHS	Review and consider	Authorities under INA 212 (8	Undefined		Should we adjudicate cases in TRIG
		rescinding	USC 1182) relating to TRIG			hold? It doesn't seem like exemptions are
	In consultation with		and related memoranda			forthcoming
Sec. 7. Ex	<u> </u>	the Biometric Entry-E	kit Tracking System.			
7a	DHS	Expedite completion			Recommended by the	
		and implementation			National Commission on	
		of a biometric entry-			Terrorist Attacks Upon the	
		exit tracking system		†	United States	
		for all travelers to the				
		United States				
7b	DHS	Report	Progress on directive in 7a	Within 100 days		
				200 days and 365		

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
				days of Jan 27 and		a a survivorior de la companya de la
				every 180 days		
		1		thereafter until		
	Ì			the system is fully		
				deployed and		
				operational.		
Sec. 8. Vis	sa Interview Security.	DOS	<u> </u>			
88	DOS	Suspend	Visa Interview Waiver	Immediately	Require in-person interview	
			Program		for all individuals seeking a	
					NIV, subject to statutory	
			<u> </u>		exceptions	
8b	DOS	Expand	Consular Fellows Program		To extent permitted by law	
					and by available	
İ					appropriations: substantially	
					increase the number of	
					fellows; lengthening or making the period of service	
İ					permanent; make language	
					services (FSI) available to	
					expand post options	
Sec. 9. Vis	sa Validity Reciprocity					
	DOS	Review and align	To the extent practicable,		As applies to validity period	
		}	ensure visa reciprocity		and fees, as required by	
}			agreements for each visa		sections 221(c) and 281 of the	
			classification are truly		INA, 8 U.S.C. 1201(c) and	
			reciprocal. If not reciprocal,		1351, and other treatment	
	•	]	adjust the visa validity period,			
Ì			fee schedule, or other treatment to match the			
1	Ì		treatment of United States			
		1	nationals by the foreign			
			country.			
Con 10 To		Callestina				
_	ransparency and Data	<del></del>	<del> </del>	T		· •
10a	DHS	Collect and Publish	Number of foreign nationals	Within 180 days	Data since the date of this	
	In consultation with	Information	in the United States who have	and every 180	order or the last reporting	
	In consultation with Attorney General		been:	days thereafter	period, whichever is later	
	According Ocherol		charged with terrorism- related offenses while in the			
			United States;			
			convicted of terrorism-			
1			related offenses while in the	1		
			United States;			
			removed from the United			
			States based on terrorism-			
-		<u></u>		·	· · · · · · · · · · · · · · · · · · ·	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
			related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons  radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States  information regarding the number and types of acts of gender-based violence against women, including honor killings,  any other information relevant to public safety and security, including information on the immigration status of foreign nationals charged with major offenses			
11b	DOS	Report	Estimated long term costs of USRAP at Federal, State and Local levels	Within one year of Jan 27		

#### Gillispie, Anna E

From: Tynan, Natalie S

**Sent:** Friday, January 27, 2017 7:06 PM

To: Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes,

Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Cc: Levine, Laurence D; Rather, Michael B

Subject: FW: Two Questions

Attachments: 2017protectingtheNationfromTerroristEntryintotheUnitedStates.eo.rel.docx

Hi All – attached is the executive order signed early this evening by the President. Please let me, Mike and Larry know if any questions or immediate impacts to policy come to mind. Next week, we may want to consider pulling relevant policy guidance and start thinking about new guidance that will have to be issued. Hopefully we will have more information.

In the meantime, please send any questions!

Thanks, Natalie

Here is a quick summary (please read the entire document - I tried to hit the "highlights"):

- 1. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. There are review and reporting requirements that shall be completed within 30 days and additional follow up reporting requirements. While the review is conducted, the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), is suspended for 90 days. The Secretary shall provide a list of countries that do not provided necessary information to adjudicate and additional countries may be added. Visas may be issued to nationals of "blocked" countries in the national interest.
- 2. Implementing Uniform Screening Standards for All Immigration Programs A program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission will be created and will include development of a uniform screening standard and procedure; a database of identity documents proffered by applicants; amended application forms with questions aimed at identifying fraudulent answers and malicious intent; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
- 3. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. Suspension of the U.S. Refugee Admissions Program (USRAP) for 120 days for review of the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for

refugee admission do not pose a threat to the security and welfare of the United States. After 120 days, USRAP admissions resume for nationals of countries for which have been determined that such additional procedures are adequate to ensure the security and welfare of the United States. Refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality will be prioritized. Admission of refugees from Syria will be suspended. The refugee limit will be 50,000 for fiscal year 2017.

- 4. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.
- 5. Expedited Completion of the Biometric Entry-Exit Tracking System.
- 6. Visa Interview Security. The visa interview waiver program is suspended to ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.
- 7. <u>Visa Validity Reciprocity</u>. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal.

	( <b>b</b> )( <b>6</b> )
Washington, DC	i
20 Massachusetts Ave.	
USCIS, Office of Policy & Strategy	
Senior Advisor	
Natalie 5. Tynan	

#### Gillispie, Anna E

From: Tynan, Natalie S

Sent: Friday, January 27, 2017 7:06 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes,

Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Cc: Levine, Laurence D; Rather, Michael B

**Subject:** FW: Two Questions

Attachments: 2017protectingtheNationfromTerroristEntryintotheUnitedStates.eo.rel.docx

Hi All – attached is the executive order signed early this evening by the President. Please let me, Mike and Larry know if any questions or immediate impacts to policy come to mind. Next week, we may want to consider pulling relevant policy guidance and start thinking about new guidance that will have to be issued. Hopefully we will have more information.

In the meantime, please send any questions!

Thanks, Natalie

Here is a quick summary (please read the entire document – I tried to hit the "highlights"):

- 1. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. There are review and reporting requirements that shall be completed within 30 days and additional follow up reporting requirements. While the review is conducted, the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), is suspended for 90 days. The Secretary shall provide a list of countries that do not provided necessary information to adjudicate and additional countries may be added. Visas may be issued to nationals of "blocked" countries in the national interest.
- 2. Implementing Uniform Screening Standards for All Immigration Programs A program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission will be created and will include development of a uniform screening standard and procedure; a database of identity documents proffered by applicants; amended application forms with questions aimed at identifying fraudulent answers and malicious intent; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
- 3. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. Suspension of the U.S. Refugee Admissions Program (USRAP) for 120 days for review of the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for

refugee admission do not pose a threat to the security and welfare of the United States. After 120 days, USRAP admissions resume for nationals of countries for which have been determined that such additional procedures are adequate to ensure the security and welfare of the United States. Refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality will be prioritized. Admission of refugees from Syria will be suspended. The refugee limit will be 50,000 for fiscal year 2017.

- 4. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.
- 5. Expedited Completion of the Biometric Entry-Exit Tracking System.
- 6. Visa Interview Security. The visa interview waiver program is suspended to ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.
- 7. <u>Visa Validity Reciprocity</u>. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal.

Natalie S. Tynan	
Senior Advisor	,
USCIS, Office of Policy & Strategy	
20 Massachusetts Ave.	
Washington, DC	
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	(D))((d

# THE WHITE HOUSE Office of the Press Secretary

For Immediate Release

January 27, 2017

#### EXECUTIVE ORDER

PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Immigration and Nationality Act (INA), 8 U.S.C. 1101 et seq., and section 301 of title 3, United States Code, and to protect the American people from terrorist attacks by foreign nationals admitted to the United States, it is hereby ordered as follows:

Section 1. Purpose. The visa-issuance process plays a crucial role in detecting individuals with terrorist ties and stopping them from entering the United States. Perhaps in no instance was that more apparent than the terrorist attacks of September 11, 2001, when State Department policy prevented consular officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder nearly 3,000 Americans. And while the visa-issuance process was reviewed and amended after the September 11 attacks to better detect would-be terrorists from receiving visas, these measures did not stop attacks by foreign nationals who were admitted to the United States.

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visaissuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.

In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United

- Sec. 2. Policy. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.
- Sec. 3. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. (a) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall immediately conduct a review to determine the information needed from any country to adjudicate any visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public-safety threat.
- (b) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the President a report on the results of the review described in subsection (a) of this section, including the Secretary of Homeland Security's determination of the information needed for adjudications and a list of countries that do not provide adequate information, within 30 days of the date of this order. The Secretary of Homeland Security shall provide a copy of the report to the Secretary of State and the Director of National Intelligence.
- To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
- (d) Immediately upon receipt of the report described in subsection (b) of this section regarding the information needed for adjudications, the Secretary of State shall request all foreign governments that do not supply such information to start providing such information regarding their nationals within 60 days of notification

information requested pursuant to subsection (d) of this section until compliance occurs.

- (f) At any point after submitting the list described in subsection (e) of this section, the Secretary of State or the Secretary of Homeland Security may submit to the President the names of any additional countries recommended for similar treatment.
- (g) Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.
- (h) The Secretaries of State and Homeland Security shall submit to the President a joint report on the progress in implementing this order within 30 days of the date of this order, a second report within 60 days of the date of this order, a third report within 90 days of the date of this order, and a fourth report within 120 days of the date of this order.
- Sec. 4. Implementing Uniform Screening Standards for All Immigration Programs. (a) The Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation shall implement a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission. This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
- (b) The Secretary of Homeland Security, in conjunction with the Secretary of State, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall submit to the President an initial report on the progress of this directive within 60 days of the date of

review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States, and shall implement such additional procedures. Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures. Upon the date that is 120 days after the date of this order, the Secretary of State shall resume USRAP admissions only for nationals of countries for which the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States.

- (b) Upon the resumption of USRAP admissions, the Secretary of State, in consultation with the Secretary of Homeland Security, is further directed to make changes, to the extent permitted by law, to prioritize refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality. Where necessary and appropriate, the Secretaries of State and Homeland Security shall recommend legislation to the President that would assist with such prioritization.
- (c) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of nationals of Syria as refugees is detrimental to the interests of the United States and thus suspend any such entry until such time as I have determined that sufficient changes have been made to the USRAP to ensure that admission of Syrian refugees is consistent with the national interest.
- (d) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of more than 50,000 refugees in fiscal year 2017 would be detrimental to the interests of the United States, and thus suspend any such entry until such time as I determine that additional admissions would be in the national interest:
- (e) Notwithstanding the temporary suspension imposed pursuant to subsection (a) of this section, the Secretaries of State and Homeland Security may jointly determine to admit individuals to the United States as refugees on a case-by-case basis, in their discretion, but only so long as they determine that the admission of such individuals as refugees is in the national interest -- including when the person is a religious minority in his country of nationality facing religious persecution, when admitting the person would enable the United States to conform its conduct to a preexisting international

- (g) It is the policy of the executive branch that, to the extent permitted by law and as practicable, State and local jurisdictions be granted a role in the process of determining the placement or settlement in their jurisdictions of aliens eligible to be admitted to the United States as refugees. To that end, the Secretary of Homeland Security shall examine existing law to determine the extent to which, consistent with applicable law, State and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions, and shall devise a proposal to lawfully promote such involvement.
- Sec. 6. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.
- Sec. 7. Expedited Completion of the Biometric Entry-Exit Tracking System. (a) The Secretary of Homeland Security shall expedite the completion and implementation of a biometric entry-exit tracking system for all travelers to the United States, as recommended by the National Commission on Terrorist Attacks Upon the United States.
- (b) The Secretary of Homeland Security shall submit to the President periodic reports on the progress of the directive contained in subsection (a) of this section. The initial report shall be submitted within 100 days of the date of this order, a second report shall be submitted within 200 days of the date of this order, and a third report shall be submitted within 365 days of the date of this order. Further, the Secretary shall submit a report every 180 days thereafter until the system is fully deployed and operational.
- Sec. 8. Visa Interview Security. (a) The Secretary of State shall immediately suspend the Visa Interview Waiver Program and ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.
- (b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic

nonimmigrant visas in a reciprocal manner, the Secretary of State shall adjust the visa validity period, fee schedule, or other treatment to match the treatment of United States nationals by the foreign country, to the extent practicable.

- Sec. 10. Transparency and Data Collection. (a) To be more transparent with the American people, and to more effectively implement policies and practices that serve the national interest, the Secretary of Homeland Security, in consultation with the Attorney General, shall, consistent with applicable law and national security, collect and make publicly available within 180 days, and every 180 days thereafter:
  - (i) information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons since the date of this order or the last reporting period, whichever is later;
  - (ii) information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States, since the date of this order or the last reporting period, whichever is later; and
  - (iii) information regarding the number and types of acts of gender-based violence against women, including honor killings, in the United States by foreign nationals, since the date of this order or the last reporting period, whichever is later; and
  - (iv) any other information relevant to public safety and security as determined by the Secretary of Homeland Security and the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.
- (b) The Secretary of State shall, within one year of the date of this order, provide a report on the estimated long-term costs of the USRAP at the Federal, State, and local levels.
- Sec. 11. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

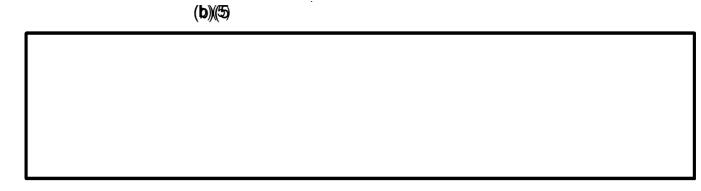
DONALD J. TRUMP

THE WHITE HOUSE,
January 27, 2017.

# # #

Gillispie, Anna E	
From: Sent: To:	Levine, Laurence D Sunday, January 29, 2017 12:13 PM Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S
Subject:	RE: Executive Order
Thanks B	
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Lawr Lavina	<del></del>
Larry Levine Acting Chief	
Office of Policy & Strategy	v
U.S. Citizenship and Immi	
Department of Homeland	Security
	<b>D)</b> (6)
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From: Prelogar, Brandon B	· · ·
Sent: Sunday, January 29, 2	
	mmings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;
Rigdon, Jerry L; Silwany, Osc	
Subject: RE: Executive Orde	
TI 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
•	of TRIG exemptions that nothing in the EO prevents the continued application of the IG cases while that consideration process takes place. Similar to Kathryn's point
	while I understand the desire to make sure we are not moving forward on cases we
	e should also be careful not to over-read the EO's directives.
bilouidit too processing, w	billouid, albo de daletal not le d'en roud die 20 b ander 1901
From: Anderson, Kathryn E	·
<b>Sent:</b> Sunday, January 29, 2 <b>To:</b> Cummings, Kevin J; Levi	ne, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer Ł (Jenna); Dunn, Maureen A; bert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, nan, Natalie S
I'll look more closely at the c	hart, but upon first glance and after reading the chain below, I wanted to raise a couple

things:



- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f); of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
  - 2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

#### Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services
Department of Homeland Security

Department of Borneland Security		

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes

Chief, Regulatory Coordination Division

USCIS. Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM
To: Valverde, Michael; Renaud, Daniel M
Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Field Operations Directorate 1 U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud

Associate Director | Field Operations Directorate

### U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & immigration Services
Department of Homeland Security
(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

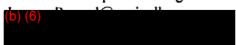
I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services



From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to t beneficiaries abroad.	he first two is yes they are impacted for the 7 countries ide I'll ask.	ntified. Not sure about petitions for
Erom: Noufold Donal		

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

		1-943
FYI.	I think Andrew might be right in terms of what is meant but	

(b))(5)

From: Davidson, Andrew J
Sent: Friday, January 27, 2017 12:37 PM
To: Renaud, Tracy L
Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L
Subject: Executive Order
Тгасу,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order
today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30
day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this (b)
extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry
into the United States", once we grant an adjustment we "admit" that person
We just need to clarify if by extension this applies to
our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications
on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent
clarification we need relative to the EAs.
distribution we need relative to the EAS.
Thanks,
Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW

(b)(6)

Washington, DC 20529

## Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 1:39 PM

To:

Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E;

Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 1:19:08 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Attached is the stay order from last night. I've also heard that mandamus actions regarding the EO holds may be coming our way.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Prelogar, Brandon B

Sent: Sunday, January 29, 2017 1:11:27 PM

To: Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L

(Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalle S

Subject: RE: Executive Order

I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives.

From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

#### Kathryn

Vastamen	Anderson
Karnrvn	Annerson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L.

**Sent:** Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M. Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b))(6)
This email and any attachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

Sent: Saturday, January 28, 2017 11:42 AM To: Renaud, Daniel M; Kvortek, Lisette E Cc: Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde

#### **DHS USCIS**

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud

Associate Director | Field Operations Directorate

U.S. Citizenship and Immigration Services

Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel	
Chief, International Operations Di	vision
U.S. Citizenship and Immigration	Services
	(b))(6)

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

**Subject:** RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Danlel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Services
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order  (b)(5)
FYI. I think Andrew might be right in terms of what is meant but
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person.
We just need to clarify if by extension this applies to
our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.
Thanks,
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529
( <b>b</b> ))(6)

## Gillispie, Anna E

From:

Anderson, Kathryn E

Sent:

Sunday, January 29, 2017 10:38 AM

To:

Levine, Laurence D; Cummings, Kevin J; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L;

Silwany, Oscar Y

Subject:

RE: Executive Order

Guidance FOD sent out below:

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:12 AM

To: Cowan, Robert M; Looney, Robert V; Muzyka, Carolyn L; Pietropaoli, Lori A; Redman, Kathy A; Gallagher, Kevin E;

Goodwin, Shelley M; Robinson, Terri A; Tierney, Therese A; Woo, Ellen Y; FOD-DDs-DDDs-COS; FOD-FODs

Cc: Dominguez, Kathleen P; Upchurch, Evelyn M; Kendrick, Rose M; Quimby, Christopher M (Chris); Rinehart, Brett R; Sapko, Jeffrey M; Spencer, Julie C; Young, Claudia F; Valverde, Michael; Neufeld, Donald W; Kvortek, Lisette E; Farnam,

Julie E; Slattery, Shannon E; Renaud, Tracy L; Davidson, Andrew J; Scialabba, Lori L

Subject: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES -

Field Operations Instructions

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry immigrants and nonimmigrants who are from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

Effectively immediately and until additional guidance is received, you may not take final action on any petition or application where the applicant is a citizen or national of Syria, Iraq, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. Field offices may interview applicants for adjustment of status and other benefits according to current processing guidance and may process petitions and applications for individuals from these countries up to the point where a decision would be made. At that point, cases shall be placed on hold until further notice and will be shelved with specific NFTS codes which will be provided through the Regional Offices. Offices are not permitted make any final decision on affected cases to include approval, denial, withdrawal, or revocation.

Please look for additional guidance later this weekend on how to process naturalization applicants from one of the seven countries listed above who are currently scheduled for oath ceremony or whose N-400s have been approved and they are pending scheduling of oath ceremony.

We expect to issue more detailed guidance and procedures as needed in the coming days. Questions or requests for additional clarification may be directed to the Regional Offices through your chain of command.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security From: Levine, Laurence D

Sent: Sunday, January 29, 2017 11:26 AM

**To:** Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Just asked - I'll keep you posted

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 11:19:35 AM

**To:** Anderson, Kathryn E; Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

I have not seen anything, although Don Neufeld alluded to guidance that he could send out sometime today. Larry, could you check with Don?

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 10:48 AM

**To:** Levine, Laurence D; Phillips, Mark; Tynan, Natalle S; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

I saw that FOD sent out guidance to the field yesterday indicating that no final action can be taken on any petition or application for a citizen or national of one of the 7 countries, pending further guidance to come. Processing and interviewing can continue, but the case is to be placed on hold before a final decision is made.

NPR seems to have picked up on this and reported it. I'm not sure whether SCOPS has issued any guidance. Has anyone seen?

From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

( ) (

From: Phillips, Mark

**Sent:** Sunday, January 29, 2017 9:25:20 AM

**To:** Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar,

Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 8:58:25 AM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 7:51:47 AM

To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S  Subject: RE: Executive Order
I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple (b)(things:
(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and honimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.
Kathryn
Kathryn Anderson Acting Chief, International and Humanitarian Affairs Division Office of Policy and Strategy, U.S. Citizenship and Immigration Services Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D.

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

**Sent:** Saturday, January 28, 2017 11:18:11 PM

To: Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division

# USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M

Cc: Farnam, Julie E; Kvortek, Lisette E

**Subject:** RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Stattory

Field Operations Directorate 1.11.5. Citizenshin and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy
(b)(6)

Director ate, Deputy Associate Director

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

# Joanna Ruppel Chief, International Operations Division U.S. Citizenship and Immigration Services (b)(6)

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

**Subject:** RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	(b))(5)
FYI. I think Andrew might be right in terms of what is meant be	ut
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	
It is my understanding that POTUS will sign the "Protecting the today at 4:30pm. In complying with the EA I believe we need in day suspension of processing immigrants and non-immigrants extends to processing of permanent resident applications. Those into the United States", once we grant an adjustment we "adm	nmediate clarification in Section 3 (c) relative to the 30 from the designated countries of interest and if this (b)(5) ugh the EA states "immigrant and non-immigrant entry"
our product lines. If this is the case then Don and Dan will need on hold. Other than the refugee suspension that appears fully o clarification we need relative to the EAs.	to get guidance to the Field to put these adjudications
Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529	
(b))(6)	

## Gillispie, Anna E

From:

Nicholson, Maura J

Sent:

Thursday, February 02, 2017 5:51 PM

To:

Ruppel, Joanna; Kleczek, Marquerite P (Ania); Deshommes, Samantha L; Strack, Barbara

L; Lafferty, John L

Cc:

Levine, Laurence D; Rather, Michael B; Tynan, Natalie S; Rigdon, Jerry L; Danzy, Alford L

(Al); Zimonjic, Milica; OCC Regulations; Palmer, Ann M; Benedict, Deborah L

Subject:

RE: Urgent Request: Possible Regulatory Action related to the Executive Orders on

Immigration - Due 2/3, 12 Noon

I would also note that we are seeking guidance from OCC on whether Federal Register notices may be needed for the potential termination of various parole programs. Not sure yet if they will be required, but am flagging in case.

From: Ruppel, Joanna

Sent: Thursday, February 02, 2017 5:33 PM

To: Kleczek, Marguerite P (Ania); Deshommes, Samantha L; Strack, Barbara L; Lafferty, John L

Cc: Levine, Laurence D; Rather, Michael B; Tynan, Natalle S; Rigdon, Jerry L; Danzy, Alford L (Al); Zimonjic, Milica; OCC

Regulations; Nicholson, Maura 3; Palmer, Ann M

Subject: RE: Urgent Request: Possible Regulatory Action related to the Executive Orders on Immigration - Due 2/3, 12

Noon

I think we also want to add the asylum regulations that govern following-to-join cases. Can you add that?

Joanna

Joanna Ruppel

**Acting Associate Director** 

USCIS Refugee, Asylum and International Operations Directorate

(b)(6)

From: Kleczek, Marguerite P (Ania)

Sent: Thursday, February 02, 2017 5:21 PM

To: Deshommes, Samantha L; Ruppel, Joanna; Strack, Barbara L; Lafferty, John L

Cc: Levine, Laurence D; Rather, Michael B; Tynan, Natalie S; Rigdon, Jerry L; Danzy, Alford L (Al); Zimonjic, Milica; OCC

Regulations

Subject: RE: Urgent Request: Possible Regulatory Action related to the Executive Orders on Immigration - Due 2/3, 12

Noon

All-

OCC RALD was looking at this and thus far, has come up with the following:

## EO 13769 - Foreign Terrorist Entry

Sec. 6 Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility

- Christina thought this was about TRIG
- OCC RALD: This is about TRIG, but doesn't require any regulatory action. Our TRIG working group is already looking at this and preparing for future discussions with the Department and the interagency.

## EO 13767 Border Security and Imm Enf

Sec. 11(b): 8 CFR 208.30 and 31 - Credible fear and reasonable fear determinations
OCC RALD: No need for regulatory changes, but the Asylum Division is working on revisions to its Credible Fear
lesson plan in response to this. That's not to say that there won't be a push for regulatory changes, but there's

nothing here that isn't consistent with the plain language of the statute.

11(d): Parole authority – must be case-by-case in accordance with the plain language of the statute. We think 8 CFR 212.5 might be affected, but need to study the issue further.

11(c): Applying Expedited Removal to applicants for admission present for less than 2 years. Requires a FR notice, but this is primarily a CBP/ICE matter, but it will affect asylum officer resources.

Thanks,	
Ania	
Marguerite (Ania)	P. Kleczek
Chief, Regulatory of	and Verification Law Division
Office of the Chief	Counsel, USCIS
Tel:	<b>7</b>
	<b></b> (b))(6)

From: Deshommes, Samantha L

Sent: Thursday, February 02, 2017 5:15 PM

To: Ruppel, Joanna; Strack, Barbara L; Lafferty, John L

Cc: Levine, Laurence D; Rather, Michael B; Tynan, Natalie S; Rigdon, Jerry L; Danzy, Alford L (AI); Kleczek, Marguerite P

(Ania)

Subject: Urgent Request: Possible Regulatory Action related to the Executive Orders on Immigration - Due 2/3, 12 Noon

Importance: High

Good Afternoon RAIO,

Following issuance of the attached Executive Orders (EOs), there have been a number of working groups that have been stood up in the Department to effect implementation. One such group is being chaired by OGC Regulatory Affairs and is tasked with identifying and managing the various regulatory actions that may be needed to implement provisions of these Orders. Ania and I just finished a conference call with them and need some information from you to complete an urgent tasker on possible regulatory actions needed to implement the EOs.

On first glance, I think the Parole, Asylum, Reasonable Fear, and Credible Fear provisions of EO 13767, Section 11 will definitely have regulatory implications for RAIO; however, there could be other provisions that I'm overlooking in the other EOs. Could you please take a look at the attached EOs, if you haven't already, and at minimum identify what specific EO provision is likely to require regulatory changes and the regulatory citation, if known?

DHS needs this information from us by 12 noon tomorrow, so I'd appreciate any assistance you can give in just quickly identifying those items. At this point, your response doesn't need to be any more expansive then the following, for example:

- EO 13767, Section 11: 8 CFR XXX.XX Update Reasonable Fear regulations to (insert)
- EO 13767, Section 11: 8 CFR XXX.XX Update asylum regulations to [insert]

- ...

I apologize in advance for the short turnaround on this, and have already requested a delay and been denied. Even if you don't have an idea of the regulatory citation or it depends on the ultimate policy and it is just a possibility, that's fine at this point...

Please let me know if you have any questions.

Thanks, Samantha

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy
Tel:

(b)(6)

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## Gillispie, Anna E

From:

Padilla, April Y

Sent:

Sunday, January 29, 2017 10:56 AM

To:

Rigdon, Jerry L

Subject:

FW: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY

INTO THE UNITED STATES - Service Center Instructions

Here is what Don sent out.

From: Neufeld, Donald W

Sent: Saturday, January 28, 2017 11:34:34 AM

**To:** Baran, Kathy A; Campagnolo, Donna P; Crandall, Kristine R; Hazuda, Mark J; McCament, James W; Nolan, Connie L; Richardson, Gregory A; Selby, Cara M (Carrie); Thompson, Kirt; Velarde, Barbara Q; Zuchowski, Laura B; Tamanaha, Emisa T

Cc: Arroyo, Susan K; Bacote, Robert R (Bob); Byrne, Marie L (Louise); Cox, Sophia; Dougherty, Linda M; Douglas, Richard C; Doumani, Stephanie M; Fortes, Michael J; Hartmann, Rosemary M; Hope, Leslie K; Hutchings, Pamela G; Kane, Daniel J; King, Alexander R; La Bella, Magteld H; McCament, James W; McConnell, James E; Moran, Karla; Neufeld, Donald W; Padilla, April Y; Peck, Denis R; Sabga, George M; Thomas, Ronnie D; Watson, Dorcas B (Benita)

Subject: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES - Service Center Instructions

Center Directors and Deputies,

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry immigrants and nonimmigrants who are from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

While we await further guidance, we must temporarily suspend adjudication of all applications, petitions or requests involving citizens or nationals of the listed countries. At this point there are no exceptions for any form types, to include I-90s or I-765s. Please physically segregate any files that are impacted by this temporary hold pending further guidance. As you would expect, we will be developing a weekly report format for you to identify the number and types of cases on hold.

We expect to issue more detailed guidance and procedures in the coming days.

Please ensure this guidance is conveyed as soon as possible to all appropriate employees and get back to us with any questions. Also, please reply to let me know each center has received this message.

Thanks,

Don

## Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Saturday, January 28, 2017 7:28 PM

To:

Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

FW: Executive Order

**Attachments:** 

Executive Order PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO

THE UNITED STATES - 01272017.docx

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Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

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Thanks,

Shannon E. Slattery

Field Operations Directorate 1 U.S. Citizenship and Immigration Services

(b)(6)

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Michael Valverde	
DHS USCIS	
Field Operations Direct	orate, Deputy Associate Director
	1
	( <b>b</b> ))(6)

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To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

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Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

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Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

**Subject:** RE: Executive Order

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Tracy L. Renaud Acting Deputy Director US Citizenship & Immigration Services Department of Homeland Security

(b)(6)

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To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services
(b)(6)
(-)(-)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lorl L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

**Subject:** RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

**Subject:** RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order  (b)(5)	
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nation today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to day suspension of processing immigrants and non-immigrants from the designated countries of interest and if extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant into the United States", once we grant an adjustment we "admit" that person	the 30 this nt entry
We just need to clarify if by extension this a our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjud on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urge clarification we need relative to the EAs.	ications
Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529	
( <b>b</b> ))(65)	
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## Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

POLICY: It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

## **GENERAL OBJECTIVES:**

- Be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.
- Ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles
- We cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law
- We should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation

Date conversions	
Days from order	Date
30	2/26
60	3/28
90	4/27
100	5/7
120	5/27
180	7/26
200	8/15

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
Section 3	: Suspension of Issu	ance of Visas and Ot	her Immigration Benefits to	Nationals of Cou	ntries of Particular Concern	The state of the s
3a	DHS	Review	Determine information **	Immediate		
			needed from any country to			
	In consultation with		adjudicate any visa, admission			
	DOS/DNI		or benefit under the INA in			
			order to determine that the	i i		
			individual seeking the benefit		•	
			is who the individual claims to			
			be and is not a security or			
	L	<u> L</u>	public safety threat.			

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
3b	DHS	Report	Information identified in review under 3a	30 days from Jan 27	Report to President Copy to DOS/DNI	
3c	DH\$/DO\$	Suspend	Admission of immigrants and nonimmigrants from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya	For 90 days from Jan 27	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	<ol> <li>Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130,?</li> <li>Should we deschedule oath ceremonies for individuals from the 7?</li> <li>How do we handle N-400s 120+ days from interview?</li> <li>Should we stop RFEs?</li> <li>Should we stop scheduling interviews?</li> <li>What about change of status from other NIV categories to NATO visas, C-2 travel visas (UN) andG-1, G-2, G-3, and G-4 visas?</li> <li>What about change of status for NIVs for these countries?</li> </ol>
3d	DOS	Request	Secretary shall request all foreign governments that do not supply information identified in 3a review to provide such information.	Immediately following report in 3b	Foreign governments will be given 60 days to begin providing information	
3e	DHS In consultation with DOS	Recommendation	Recommend countries whose foreign nationals would be prohibited entry to the United States due to the country's failure to provide information requested by the U.S. as described in 3d	After 60 day period outlined in 3d	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	
3g*					*Exception: DHS and DOS may on a case- by-case and when in national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.	
3f	DHS or DOS	Recommendation	Add countries to list of those whose nationals are prohibited from entering the U.S. due to failure to provide information as requested by the U.S. (3d)	After submission of List Indefinite		
3h	DHS and DOS	Joint Report	Report progress implementing Order	30 days 60 days		

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
				90 days		
				120 days		
				From Jan 27		
Section 4:	Implementing Uni	form Screening Stand	ards for All Immigrant Prog	rams		
<b>4</b> a	DHS/DOS/DNI/FBI	Implement Program as part of	To identify individuals seeking to enter US on a	Initial progress report due within		Do we need to take any actions prior to the "plan" described in section four being
		adjudications process	fraudulent basis with intent	60 days of Jan 27		developed and implemented?
		to include	to cause harm, or who are	00 00/3 01 7811 27		Who is responsible for developing the
		development of:	at risk of causing harm			plan?
			subsequent to admission.			3. Might this functionality [database to
;			3003cquent to buildston.			collect identity documents] already exist
		Uniform screening				and be implemented?
		standard and				4. Would these [amended application forms]
		procedure, such as				be internal worksheets and not OMB
	1	interviews				cleared changes to existing forms?
						[Regarding mechanism to ensure applicant's claimed identity] Beyond
		Database	Capture identity			existing measures/capabilities? Enhanced
			documents proffered by			data share?
			applicants and prevent			
			duplicate documents from			
			being used by multiple			
			applicants			
		h. 1:1	r war like province in a			
		Amended     Application Forms	To add questions aimed at			
		Application Forms	identifying fraudulent			
			answers and malicious			
			intent			
		Mechanism	To ensure applicant is who			
			the applicant claims to be			
		D	To such sate the englished			
		<ul> <li>Process</li> </ul>	To evaluate the applicant's			
			likelihood of becoming a			
			positively contributing			
			member of society and the applicant's ability to make			
			contributions to the			
			national interest			
			national mercat			
		Mechanism	To assess whether or not			
			the applicant has the intent			
			to commit criminal or			
			terrorist acts after entering			
			the U.S.	<u> </u>	<u></u>	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments		
4b	DHS/DOS/DNI/FBI	Report	Report progress of initiatives under 4a	Within 60 days, 100 days, 200 days of Jan 27	Report to President			
Şec. 5. Re	Sec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017.							
5a	DOS	Suspend the USRAP program		For 120 days from Jan 27				
5a	DOS In consultation with DHS/DNI	Review	Review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States	Within 120 days of Jan 27				
5a	In consultation with DHS/DNS	Implement	Implement procedures identified during review	Within 120 days of Jan 27	Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures.			
5a	DOS	Resume USRAP		120 days after order	Limited to nationals of countries for which the DHS/DOS/DNI have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States			
5b	In consultation with	Prioritize Refugee Claims	Prioritize claims made by individuals on the basis of religious-based persecution.		Individual's religion must be a minority religion in the individual's country of nationality.			
5b	DOS/DHS	Recommend Legislation	To support prioritization of refugee claims as noted immediately above.	_				
Se Exception	President	Suspend admission of Syrian refugees		Until the president determines sufficient changes have been made to USRAP to ensure admission of Syrian Refugees is consistent with the national interest.	Exception:  DHS/DOS have discretion to jointly determine to admit individuals to the United  States as refugees on a case-by-case basis only so long as they determine that the admission of such individuals as refugees is in the national interest — including when the person is a religious minority in his country of nationality			

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments	
					facing religious persecution,		
					when admitting the person		
					would enable the United		
					States to conform its conduct		
					to a preexisting international		
					agreement, or when the		
					person is already in transit		
					and denying admission would		
					cause undue hardship – and it		
					would not pose a risk to the		
					security or welfare of the		
					United States.		
5d	President	Limit refugee		Until such time as			
		admissions to 50,000		the president			
		in FY 2017		determines that			
				additional			
				admissions would			
				be in the national			
				interest			
Sf	DOS	Report	Progress of prioritization of	Within 100 days			
			claims under S(b)	and			
				200 days of Jan 27			
5g	DH\$	Determine based on	Extent to which state and				
		existing law	local jurisdictions may have				
			greater involvement in the				
			process of determining the placement or resettlement of				
			refugees in their jurisdictions				
5g	DHS	Propose	Plan to involve state/local	<u>.                                    </u>			
<b>7</b> 5	0113	Порозс	jurisdictions in refugee				
			resettlement process				
Sec. 6. Re	scission of Exercise of	Authority Relating to t	he Terrorism Grounds of Inad	missibility	<u> </u>		
6a	DOS/DHS	Review and consider	Authorities under INA 212 (8	Undefined		Should we adjudicate cases in TRIG	
		rescinding	USC 1182) relating to TRIG			hold? It doesn't seem like exemptions are	
	In consultation with		and related memoranda			forthcoming	
	AG						
Sec. 7. Expedited Completion of the Biometric Entry-Exit Tracking System.							
7a	DHS	Expedite completion			Recommended by the		
	]	and implementation			National Commission on		
		of a biometric entry-			Terrorist Attacks Upon the		
		exit tracking system			United States		
		for all travelers to the United States					
7b	DHS	· · · · · · · · · · · · · · · · · · ·	Progress on directive in 7a	Within 100 days			
ľŪ	נווט	Report	Frugiess on uneclive in 74	Within 100 days 200 days and 365			
	<u> </u>		<u> </u>	200 days allu 303		<u></u>	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
				days of Jan 27 and	·	
			1	every 180 days thereafter until		
			j	the system is fully		
				deployed and		
				operational.		
Sec. 8. Vis	ia Interview Security.	DOS	<u> </u>	<u> </u>		<u> </u>
8a	DOS	Suspend	Visa Interview Waiver	Immediately	Require in-person interview	
			Program		for all individuals seeking a	
					NIV, subject to statutory	
Αι.	000				exceptions	
8b	DOS	Expand	Consular Fellows Program		To extent permitted by law	
					and by available appropriations: substantially	
					increase the number of	
					fellows; lengthening or	
					making the period of service	
					permanent; make language	
					services (FSI) available to	
	<u>i</u>		<u> </u>		expand post options	
Sec. 9. Vis	a Validity Reciprocity	T	12	·:		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
	DOS	Review and align	To the extent practicable,		As applies to validity period	
	1		ensure visa reciprocity agreements for each visa		and fees, as required by	
			classification are truly		sections 221(c) and 281 of the INA, 8 U.S.C. 1201(c) and	
			reciprocal. If not reciprocal,		1351, and other treatment	
		1	adjust the visa validity period,		2002) and dates a continent	
	1		fee schedule, or other			
	1		treatment to match the			
			treatment of United States			
		1	nationals by the foreign			
			country.			
Sec. 10. Ti	ransparency and Data	Collection	· · ·	<u> </u>		
10a	DHS	Collect and Publish	Number of foreign nationals	Within 180 days	Data since the date of this	<u> </u>
		Information	in the United States who have	and every 180	order or the last reporting	
	In consultation with		been:	days thereafter	period, whichever is later	
	Attorney General		<ul> <li>charged with terrorism-</li> </ul>			
			related offenses while in the			
			United States;			
			• convicted of terrorism-			
			related offenses while in the			
			United States;			
			removed from the United     States based on terrorism-			
	<u> </u>	<u> </u>	Profes ogsen og remonism.	<u> </u>	<u> </u>	<u> </u>

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
	Actor(3)		related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons  radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States  information regarding the number and types of acts of gender-based violence against women, including honor killings,  any other information relevant to public safety and security, including information on the immigration status of foreign nationals charged with		NOTES	questions/continents
11b	DOS	Report	major offenses Estimated long term costs of	Within one year	· ·	
		<u> </u>	USRAP at Federal, State and Local levels	of Jan 27	, ,	

#### Gillispie, Anna E

From:

Tynan, Natalie S

Sent:

Friday, January 27, 2017 7:06 PM

To:

Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes,

Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A;

Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Cc:

Levine, Laurence D; Rather, Michael B

Subject:

FW: Two Questions

Attachments:

2017 protecting the Nation from Terrorist Entry into the United States. eo. rel. docx

Hi All - attached is the executive order signed early this evening by the President. Please let me, Mike and Larry know if any questions or immediate impacts to policy come to mind. Next week, we may want to consider pulling relevant policy guidance and start thinking about new guidance that will have to be issued. Hopefully we will have more information.

In the meantime, please send any questions!

Thanks, Natalie

Here is a quick summary (please read the entire document – I tried to hit the "highlights"):

- 1. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. There are review and reporting requirements that shall be completed within 30 days and additional follow up reporting requirements. While the review is conducted, the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), is suspended for 90 days. The Secretary shall provide a list of countries that do not provided necessary information to adjudicate and additional countries may be Visas may be issued to nationals of "blocked" countries in the added. national interest.
- 2. Implementing Uniform Screening Standards for All Immigration Programs A program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission will be created and will include development of a uniform screening standard and procedure; a database of identity documents proffered by applicants; amended application forms with questions aimed at identifying fraudulent answers and malicious intent; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
- 3. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. Suspension of the U.S. Refugee Admissions Program (USRAP) for 120 days for review of the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for

refugee admission do not pose a threat to the security and welfare of the United States. After 120 days, USRAP admissions resume for nationals of countries for which have been determined that such additional procedures are adequate to ensure the security and welfare of the United States. Refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality will be prioritized. Admission of refugees from Syria will be suspended. The refugee limit will be 50,000 for fiscal year 2017.

- 4. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.
- 5. Expedited Completion of the Biometric Entry-Exit Tracking System.
- 6. Visa Interview Security. The visa interview waiver program is suspended to ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.
- 7. <u>Visa Validity Reciprocity</u>. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal.

Natalie S. Tynan	
Senior Advisor	
USCIS, Office of Policy & Strategy	
20 Massachusetts Ave.	
Washington, DC	
	( <b>b</b> )( <b>6</b> )

## THE WHITE HOUSE Office of the Press Secretary

For Immediate Release

January 27, 2017

#### EXECUTIVE ORDER

PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Immigration and Nationality Act (INA), 8 U.S.C. 1101 et seq., and section 301 of title 3, United States Code, and to protect the American people from terrorist attacks by foreign nationals admitted to the United States, it is hereby ordered as follows:

Section 1. Purpose. The visa-issuance process plays a crucial role in detecting individuals with terrorist ties and stopping them from entering the United States. Perhaps in no instance was that more apparent than the terrorist attacks of September 11, 2001, when State Department policy prevented consular officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder nearly 3,000 Americans. And while the visa-issuance process was reviewed and amended after the September 11 attacks to better detect would-be terrorists from receiving visas, these measures did not stop attacks by foreign nationals who were admitted to the United States.

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visaissuance process to ensure that those approved for admission

do not intend to harm Americans and that they have no ties to terrorism.

In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law. In addition, the United States should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation.

- Sec. 2. Policy. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.
- Sec. 3. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. (a) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall immediately conduct a review to determine the information needed from any country to adjudicate any visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public-safety threat.
- (b) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the President a report on the results of the review described in subsection (a) of this section, including the Secretary of Homeland Security's determination of the information needed for adjudications and a list of countries that do not provide adequate information, within 30 days of the date of this order. The Secretary of Homeland Security shall provide a copy of the report to the Secretary of State and the Director of National Intelligence.
- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in

subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

- (d) Immediately upon receipt of the report described in subsection (b) of this section regarding the information needed for adjudications, the Secretary of State shall request all foreign governments that do not supply such information to start providing such information regarding their nationals within 60 days of notification.
- (e) After the 60-day period described in subsection (d) of this section expires, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the President a list of countries recommended for inclusion on a Presidential proclamation that would prohibit the entry of foreign nationals (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas) from countries that do not provide the information requested pursuant to subsection (d) of this section until compliance occurs.
- (f) At any point after submitting the list described in subsection (e) of this section, the Secretary of State or the Secretary of Homeland Security may submit to the President the names of any additional countries recommended for similar treatment.
- (g) Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration

benefits to nationals of countries for which visas and benefits are otherwise blocked.

- (h) The Secretaries of State and Homeland Security shall submit to the President a joint report on the progress in implementing this order within 30 days of the date of this order, a second report within 60 days of the date of this order, a third report within 90 days of the date of this order, and a fourth report within 120 days of the date of this order.
- Sec. 4. Implementing Uniform Screening Standards for All Immigration Programs. (a) The Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation shall implement a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission. This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
- (b) The Secretary of Homeland Security, in conjunction with the Secretary of State, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall submit to the President an initial report on the progress of this directive within 60 days of the date of this order, a second report within 100 days of the date of this order, and a third report within 200 days of the date of this order.
- Sec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. (a) The Secretary of State shall suspend the U.S. Refugee Admissions Program (USRAP) for 120 days. During the 120-day period, the Secretary of State, in

conjunction with the Secretary of Homeland Security and in consultation with the Director of National Intelligence, shall review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States, and shall implement such additional procedures. Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures. Upon the date that is 120 days after the date of this order, the Secretary of State shall resume USRAP admissions only for nationals of countries for which the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States.

- (b) Upon the resumption of USRAP admissions, the Secretary of State, in consultation with the Secretary of Homeland Security, is further directed to make changes, to the extent permitted by law, to prioritize refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality. Where necessary and appropriate, the Secretaries of State and Homeland Security shall recommend legislation to the President that would assist with such prioritization.
- (c) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of nationals of Syria as refugees is detrimental to the interests of the United States and thus suspend any such entry until such time as I have determined that sufficient changes have been made to the USRAP to ensure that admission of Syrian refugees is consistent with the national interest.
- (d) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of more than 50,000 refugees in fiscal year 2017 would be detrimental to the interests of the United States, and thus suspend any such entry until such time as I determine that additional admissions would be in the national interest.
- (e) Notwithstanding the temporary suspension imposed pursuant to subsection (a) of this section, the Secretaries of

State and Homeland Security may jointly determine to admit individuals to the United States as refugees on a case-by-case basis, in their discretion, but only so long as they determine that the admission of such individuals as refugees is in the national interest -- including when the person is a religious minority in his country of nationality facing religious persecution, when admitting the person would enable the United States to conform its conduct to a preexisting international agreement, or when the person is already in transit and denying admission would cause undue hardship -- and it would not pose a risk to the security or welfare of the United States.

- (f) The Secretary of State shall submit to the President an initial report on the progress of the directive in subsection (b) of this section regarding prioritization of claims made by individuals on the basis of religious-based persecution within 100 days of the date of this order and shall submit a second report within 200 days of the date of this order.
- (g) It is the policy of the executive branch that, to the extent permitted by law and as practicable, State and local jurisdictions be granted a role in the process of determining the placement or settlement in their jurisdictions of aliens eligible to be admitted to the United States as refugees. To that end, the Secretary of Homeland Security shall examine existing law to determine the extent to which, consistent with applicable law, State and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions, and shall devise a proposal to lawfully promote such involvement.
- Sec. 6. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.
- Sec. 7. Expedited Completion of the Biometric Entry-Exit Tracking System. (a) The Secretary of Homeland Security shall expedite the completion and implementation of a biometric entry-exit tracking system for all travelers to the United States, as recommended by the National Commission on Terrorist Attacks Upon the United States.

- (b) The Secretary of Homeland Security shall submit to the President periodic reports on the progress of the directive contained in subsection (a) of this section. The initial report shall be submitted within 100 days of the date of this order, a second report shall be submitted within 200 days of the date of this order, and a third report shall be submitted within 365 days of the date of this order. Further, the Secretary shall submit a report every 180 days thereafter until the system is fully deployed and operational.
- Sec. 8. Visa Interview Security. (a) The Secretary of State shall immediately suspend the Visa Interview Waiver Program and ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.
- (b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic ability, to ensure that non-immigrant visa-interview wait times are not unduly affected.
- Sec. 9. Visa Validity Reciprocity. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal insofar as practicable with respect to validity period and fees, as required by sections 221(c) and 281 of the INA, 8 U.S.C. 1201(c) and 1351, and other treatment. If a country does not treat United States nationals seeking nonimmigrant visas in a reciprocal manner, the Secretary of State shall adjust the visa validity period, fee schedule, or other treatment to match the treatment of United States nationals by the foreign country, to the extent practicable.
- Sec. 10. Transparency and Data Collection. (a) To be more transparent with the American people, and to more effectively implement policies and practices that serve the national interest, the Secretary of Homeland Security, in consultation with the Attorney General, shall, consistent with

applicable law and national security, collect and make publicly available within 180 days, and every 180 days thereafter:

- (i) information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons since the date of this order or the last reporting period, whichever is later;
- (ii) information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States, since the date of this order or the last reporting period, whichever is later; and
- (iii) information regarding the number and types of acts of gender-based violence against women, including honor killings, in the United States by foreign nationals, since the date of this order or the last reporting period, whichever is later; and
- (iv) any other information relevant to public safety and security as determined by the Secretary of Homeland Security and the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.
- (b) The Secretary of State shall, within one year of the date of this order, provide a report on the estimated long-term costs of the USRAP at the Federal, State, and local levels.
- Sec. 11. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:
  - (i) the authority granted by law to an executive department or agency, or the head thereof; or

- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.
- (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
January 27, 2017.

# # #

#### Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 1:45 PM

To:

Hamilton, Cristina A; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A;

Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

RE: Executive Order

Thanks Cris - yeah as much sharing as we can.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Hamilton, Cristina A

Sent: Sunday, January 29, 2017 2:43:02 PM

To: Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Ok, the way I plan to proceed, which I think is consistent with what you want, Larry, is that I will be going through the very helpful chart that Shannon provided, and filling in questions I have on the provisions in the column for Questions. So it's clear which division is raising the question I am going to edit the column to label it NSBI Questions. I'll send that to the entire group for visibility when completed—sometime this evening.

I'm assuming Natalie will then roll-up all the questions each of us submits-- weeding out duplicative questions-- into a master chart for OP&S. Larry, I recommend that you send to Jess for the use of D1/D2, (consistent with D1s request for consolidated questions from components—we weren't asked but they should be made aware of our questions). My understanding/recommendation is that our master chart will be posted to the OP&S ECN (and presumably regularly updated as needed), and used by us for discussions: internal to OP&S; with other components and USCIS or DHS leadership; and for inter-agency discussions.

Cristina Hamilton
Chief, National Security and
Benefits Integrity Division
Office of Policy and Strategy, USCIS

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From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M

Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M.

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

**Subject:** RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

### Joanna Ruppel Chief Internati

Chief, International Operations Division

U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L.

Sent: Friday, January 27, 2017 12:43 PM

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	( <b>b</b> ))(5)
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	·
It is my understanding that POTUS will sign the "Protecting the N today at 4:30pm. In complying with the EA I believe we need immady suspension of processing immigrants and non-immigrants frextends to processing of permanent resident applications. Though into the United States", once we grant an adjustment we "admit" our product lines. If this is the case then Don and Dan will need to on hold. Other than the refugee suspension that appears fully declarification we need relative to the EAs.	mediate clarification in Section 3 (c) relative to the 30 com the designated countries of interest and if this (b) the EA states "immigrant and non-immigrant entry" that person.  We just need to clarify if by extension this applies to o get guidance to the Field to put these adjudications
Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529	
( <b>b</b> ))(6)	

#### Gillispie, Anna E

From:

Deshommes, Samantha L

Sent:

Sunday, January 29, 2017 2:58 PM

To:

Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

**RE: Executive Order** 

**Attachments:** 

Executive Order - 01272017\_RCD.docx

RCD's questions, timing guidance, etc. is attached.

Forms/PRA: In short, form changes can be accomplished via an emergency approval action, which in comparison with the normal process is quicker, but requires a duplicate action. OMB approval under emergency approval is only valid for 6 months so we'd have to restart the normal process (60- and 30-day Notices) immediately. The speed with which we can submit such actions to OMB depend on the speed with which legal guidance is provided to allow for firm decisions on form changes, additional form questions, etc.; the speed with which OIDP can provide the amended form instruments; and the speed with which IT and OIDP can schedule the revised forms for intake.

Regs: I think the most appropriate timeline to use is the average time it took for us to draft and publish EA-related rulemakings (approx. 12-16 months for drafting, clearing publishing the NPRM, and approx. 6-8 months to consider comments, draft, clear, and publish the final rule). Notice that I didn't opine on the effective date of the reg (which, usually is 30-60 days from the date the final rule publishes). However, the effective date is most dependent on the needs of IT and OIDP schedules.

Additional questions and comments are provided in the attached. Btw, under the assumption this will be posted on the OP&S ECN, I shortened the filename.

Larry: Just a suggestion...Many of the directives in the EO (uniform identify verification) may require new regs and/or workload for both FDNS and IRIS, and I noticed that IRIS wasn't looped in on the email chain forward from Dan. Maybe you should reach out to Tammy to give her a heads-up. Just a suggestion...

Sam

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b))(6)

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 3:31 PM

**To:** Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

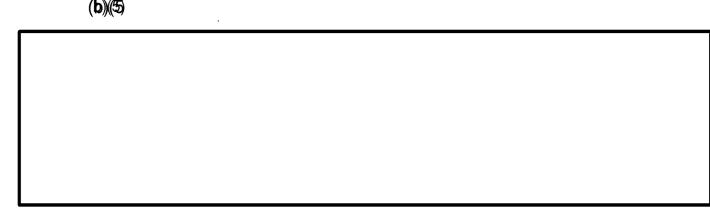
Rigdon, Jerry L; Sllwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I defer to you all for all counting matters - I'm glad you all picked it up; I don't know why 6 was stuck in my head.
Larry Levine Acting Chief Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security  (b) (6)
From: Cummings, Kevin J Sent: Sunday, January 29, 2017 3:28:37 PM To: Levine, Laurence D; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order
Not to be a stickler for details, but isn't it 7 countries?
Kevin
Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security
This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protecte by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient please notify the sender and delete or destroy all copies. Thank you.
From: Levine, Laurence D Sent: Sunday, January 29, 2017 2:39 PM To: Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order
And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services

Department of Homeland Sec	urity
( <b>b</b> )(6)	
<u> </u>	son, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L nilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;
ttached is the stay order froming our way.	m last night. I've also heard that mandamus actions regarding the EO holds may b
arry Levine Acting Chief Office of Policy & Strategy J.S. Citizenship and Immigra Denartment of Homeland Sec	
( <b>b</b> )(6)	
	nings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L nilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;
xisting exemptions to TRIG bout entry vs admission, wh	TRIG exemptions that nothing in the EO prevents the continued application of the cases while that consideration process takes place. Similar to Kathryn's point ile I understand the desire to make sure we are not moving forward on cases we hould also be careful not to over-read the EO's directives.
	Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A t E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon
II look more closely at the chai	t, but upon first glance and after reading the chain below, I wanted to raise a couple



(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

#### Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services
Department of Homeland Security

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(**b**)(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beverldge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

#### --Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Cubicate Dr. Francisco Orden

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS. Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Field Operations Directorate 1 U.S. Citizenship and Immigration Services

(b)(6)

This email and any attachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde

**DHS USCIS** 

Field Operations Directorate, Deputy Associate Director

(b))(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud Acting Deputy Director US Citizenship & immigration Services Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel Chief, International Operations Division U.S. Citizenship and Immigration Services



From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

(b)(5)

FYI. I think Andrew might be right in terms of what is meant but

<b>(b)</b> (5)
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person  We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.
Thanks,
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529

#### Gillispie, Anna E

From:	Levine, Laurence D		
Sent:	Sunday, January 29, 2017 1:45 PM		
То:	Hamilton, Cristina A; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Lee, Robert E; Parascandola, C Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Osca Tynan, Natalie S		
Subject:	RE: Executive Order		
Thanks Cris - yean	as much sharing as we can.		
Larry Levine Acting Chief Office of Policy & S U.S. Citizenship and			
Acting Chief Office of Policy & S	Immigration Services		

From: Hamilton, Cristina A

Sent: Sunday, January 29, 2017 2:43:02 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** RE: Executive Order

Ok, the way I plan to proceed, which I think is consistent with what you want, Larry, is that I will be going through the very helpful chart that Shannon provided, and filling in questions I have on the provisions in the column for Questions. So it's clear which division is raising the question I am going to edit the column to label it NSBI Questions. I'll send that to the entire group for visibility when completed—sometime this evening.

I'm assuming Natalie will then roll-up all the questions each of us submits-- weeding out duplicative questions-- into a master chart for OP&S. Larry, I recommend that you send to Jess for the use of D1/D2, (consistent with D1s request for consolidated questions from components—we weren't asked but they should be made aware of our questions). My understanding/recommendation is that our master chart will be posted to the OP&S ECN (and presumably regularly updated as needed), and used by us for discussions: internal to OP&S; with other components and USCIS or DHS leadership; and for inter-agency discussions.

Cristina Hamilton			
Chief, National Se	ecurity and		
Benefits Integrity Division			
Office of Policy ar	nd Strategy, USCIS		

(b)(6)

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From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

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Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

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Cc: Farnam, Julie E; Kvortek, Lisette E

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Field Operations Directorate | U.S. Citizenship and Immigration Services

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

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Michael Valverde DHS USCIS		
Field Operations Directo	orate, Deputy A	Associate Director
	(b)(6)	•
	(1-)/(1-)	

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Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

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Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

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Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

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Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

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Joanna

# Joanna Ruppel Chief, International Operations Division U.S. Citizenship and Immigration Services

(b)(6)

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Lori

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Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

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Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M  Subject: FW: Executive Order
(b)(5)
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Andrew Devidence
Andrew Davidson Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security 111 Massachusetts Avenue, NW
Washington, DC 20529
(b))(6)

Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

POLICY: It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

### GENERAL OBJECTIVES:

- Be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they
  have no ties to terrorism.
- Ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles
- We cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law
- We should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation

Date conversions	
Days from order	Date
30	2/26
60	3/28
90	4/27
100	5/7
120	5/27
180	7/26
200	8/15

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
Section 3	l: Suspension of Issu	ance of Visas a	nd Other Immigration Benefits to	Nationals of C	ountries of Particula	r Concern
3a	DHS	Review	Determine information	Immediate		
			needed from any country to			
	In consultation with		adjudicate any visa, admission			
	DOS/DN1		or benefit under the INA in			
			order to determine that the			
			individual seeking the benefit			
			is who the individual claims to		,	
			be and is not a security or			
			public safety threat.			

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
3b	DHS	Report	Information identified in review under 3a	30 days from Jan 27	Report to President Copy to DOS/DNI	
3c	DHS/DQS	Suspend	Admission of immigrants and nonimmigrants from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya	For 90 days from Jan 27	Exclusions: Diplomatic and NATQ visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130,?  2. Should we deschedule oath ceremonies for individuals from the 7?  3. How do we handle N-400s 120+ days from interview?  4. Should we stop RFEs?  5. Should we stop scheduling interviews?  6. What about change of status from other NTV categories to NATO visas, C-2 travel visas (UN) and G-1, G-2, G-3, and G-4 visas?  7. What about change of status for NIVs for these countries?
3d	DOS	Request	Secretary shall request all foreign governments that do not supply information identified in 3a review to provide such information.	Immediately following report in 3b	Foreign governments will be given 60 days to begin providing information	
3e	DHS In consultation with DOS	Recommendation	Recommend countries whose foreign nationals would be prohibited entry to the United States due to the country's failure to provide information requested by the U.S. as described in 3d	After 60 day period outlined in 3d	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	
3g*					*Exception:  DHS and DOS may on a case-by-case and when in national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.	
3!	DHS or DOS	Recommendation	Add countries to list of those whose nationals are prohibited from entering the U.S. due to failure to provide information as requested by the U.S. (3d)	After submission of List Indefinite		
3h	DHS and DOS	Joint Report	Report progress implementing Order	30 days 60 days		



Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments		
Section	1000(3)	AGUON	1 41,000	90 days		Questions/ continents		
				120 days			/	
				From Jan 27			[	
Section 4	implementing Uni	form Screening Stand	ards for All Immigrant Prog	rams	Land Andrews			
4a	DHS/DOS/DNI/FBI	Implement Program as part of	To identify individuals     seeking to enter US on a	Initial progress report due within		Do we need to take any actions prior to the "plan" described in section four being		
		adjudications process to include development of:	fraudulent basis with intent to cause harm, or who are at risk of causing harm subsequent to admission.	60 days of Jan 27		developed and implemented?  2. Who is responsible for developing the plan?  3. Might this functionality (database to		
		Uniform screening standard and procedure, such as interviews				collect identity documents] already exist and be implemented?  4. [Would these [amended application forms] be internal worksheets and not OMB cleared changes to existing forms?]		
		Database	Capture identity     documents proffered by     applicants and prevent     duplicate documents from     being used by multiple     applicants			<ol> <li>[Regarding mechanism to ensure applicant's claimed identity] Beyond existing measures/capabilities? Enhanced data share?</li> </ol>		
		Amended     Application Forms	To add questions aimed at Identifying fraudulent answers and malicious intent					
		Mechanism	To ensure applicant is who the applicant claims to be					
		• Process	To evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest					
		Mechanism	To assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the U.S.					

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
4b	DHS/DOS/DNI/FBI	Report	Report progress of initiatives	Within 60 days,	Report to President	
	1		under 4a	100 days,		
		<u> </u>		200 days of Jan 27		
Sec. S. Re	ealignment of the U.S.	Refugee Admissions Pr	ogram for Fiscal Year 2017.			
5a	DOS	Suspend the USRAP		For 120 days from		
		program		Jan 27		
5a	DOS	Review	Review the USRAP application	Within 120 days		*
	In consultation with		and adjudication process to	of Jan 27		
	DHS/DNI		determine what additional			
			procedures should be taken to			
			ensure that those approved			
			for refugee admission do not			
			pose a threat to the security			
			and welfare of the United			
5a	DOS	Implement	States Implement procedures	Within 120 days	Refugee applicants who are	<del></del>
34	1003	inpenent	identified during review	of Jan 27	already in the USRAP process	
	In consultation with		Identified duting review	Or Jan 27	may be admitted upon the	
	DHS/DNS				initiation and completion of	
	0.15,013				these revised procedures.	
5a	DOS	Resume USRAP		120 days after	Limited to nationals of	
				order	countries for which the	
					DHS/DOS/DNI have jointly	
					determined that such	
					additional procedures are	
					adequate to ensure the	
					security and welfare of the	
					United States	
5b	DOS	Prioritize Refugee	Prioritize claims made by		Individual's religion must be a	
		Claims	individuals on the basis of		minority religion in the	
	In consultation with		religious-based persecution.		individual's country of	
	DHS				nationality.	
5b	DOS/DHS	Recommend	To support prioritization of			
		Legislation	refugee claims as noted			
			immediately above.	11.21.1	ê	
Sc	President	Suspend admission of		Until the	Exception:	
		Syrian refugees		president	DHS/DOS have discretion to	
Se				determines sufficient changes	jointly determine to admit individuals to the United	
Exception				have been made	States as refugees on a case-	
- Carchaou				to USRAP to	by-case basis only so long as	
				ensure admission	they determine that the	
				of Syrian Refugees	admission of such individuals	
				is consistent with	as refugees is in the national	
				the national	interest - including when the	
				interest.	person is a religious minority	
					in his country of nationality	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
		,			facing religious persecution,	
	,			,	when admitting the person	
				,	would enable the United	
					States to conform its conduct	
,	,				to a preexisting international	
					agreement, or when the	·
					person is already in transit	
					and denying admission would	
					cause undue hardship – and it	
					would not pose a risk to the	
					security or welfare of the	1
					United States.	
Sd	President	Limit refugee		Until such time as		·.
		admissions to 50,000		the president		
		in FY 2017	•	determines that		
		1		additional		
		ļ.		admissions would		
				be in the national	1	
				interest		
Si	DOS	Report	Progress of prioritization of	Within 100 days		1
9			claims under 5(b)	and		**
*	- 12	5 7		200 days of Jan 27		100
5g	DHS	Determine based on	Extent to which state and			
		existing law	local jurisdictions may have			
!			greater involvement in the			
		ŀ	process of determining the			
		·	placement or resettlement of			
	a) is		refugees in their jurisdictions	<u> </u>		
Sg	DHS	Propose	Plan to involve state/local	,		
			jurisdictions in refugee			•
Sec. 6. Re	escission of Exercise of	Authority Relating to t	resettlement process he Terrorism Grounds of Inad	missibility /	<u> </u>	The second secon
6a	DOS/DHS	Review and consider	Authorities under INA 212 (8	Undefined		1 Should we adjudicate cases in TDIC
UG	003/0113	rescinding	USC 1182) relating to TRIG	- Officerings		Should we adjudicate cases in TRIG     hold? It doesn't seem like exemptions are
	In consultation with	resembing	and related memoranda			forthcoming
	AG		ena relateu memoranda			, 1011114011111115
Sec. 7. Ex	pedited Completion of	the Biometric Entry-E	cit Tracking System.		in the second second	
7a	DHS	Expedite completion			Recommended by the	
		and implementation			National Commission on	
		of a biometric entry-			Terrorist Attacks Upon the	
		exit tracking system			United States	
	1	for all travelers to the		1		
		I'm all navelets to hie		1	i e	
		United States				<u></u>
7b	DHS	1	Progress on directive in 7a	Within 100 days		

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
				days of Jan 27 and		
		ĺ		every 180 days		
		}		thereafter until		
		}		the system is fully		
		ĺ		deployed and		
				operational.		
Sec. 8. Vis	a Interview Security.	DOS	<u> </u>	l .		
8a	DOS	Suspend	Visa Interview Walver	Immediately	Require in-person interview	
		}	Program		for all individuals seeking a	
	j				NIV, subject to statutory	
					exceptions	
8b	DOS	Expand	Consular Fellows Program		To extent permitted by law	
					and by available	
					appropriations: substantially	
	!				increase the number of	
		1			fellows; lengthening or	
		<u> </u>			making the period of service	
		,			permanent; make language	
					services (FSI) available to	
Sae Q Vie	l a Validity Reciprocity	<u> </u>			expand post options	
JCL. 7. VIS			T- 1		1	
	DOS	Review and align	To the extent practicable,		As applies to validity period	
			ensure visa reciprocity		and fees, as required by	
		1	agreements for each visa		sections 221(c) and 281 of the	
			classification are truly		INA, 8 U.S.C. 1201(c) and	
		1	reciprocal. If not reciprocal,		1351, and other treatment	
			adjust the visa validity period,	,		
			fee schedule, or other treatment to match the			
		<b>;</b>	treatment of United States	•		
		,	nationals by the foreign			
		}	country.			
			Country.	j		
Sec. 10. Ti	ransparency and Data	Collection	.l	· ,,,,,,		
10a	ÖHS	Collect and Publish	Number of foreign nationals	Within 180 days	Data since the date of this	
		Information	in the United States who have	and every 180	order or the last reporting	
	In consultation with		been:	days thereafter	period, whichever is later	
	Attorney General		<ul> <li>charged with terrorism-</li> </ul>			
	·		related offenses while in the			
			United States;			
			<ul> <li>convicted of terrorism-</li> </ul>	•		
			related offenses while in the	†		
			United States;	1		
			<ul> <li>removed from the United</li> </ul>			
	<u> </u>		States based on terrorism-		<u>L</u>	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
Section	Actor(3)	Action	related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons • radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States • information regarding the number and types of acts of gender-based violence against women, including honor killings, • any other information relevant to public safety and security, including information on the immigration status of foreign nationals charged with			QUESTIONS COMMENTS
			major offenses			
11b	005	Report	Estimated long term costs of USRAP at Federal, State and Local levels	Within one year of Jan 27		

_	Page 3: [1] Comment [SLD2]	Deshommes, Samantha L	1/29/2017 3:36:00 PM	
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l	(F) (A) (A) (A) (A) (A) (A) (A) (A) (A) (A		1/29/2017 3:11:00 PM	_
1	Page 3: [2] Comment [SLD3]	Deshommes, Samantha L	1/29/2017 3:11:00 PM	l
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**(b)**(5)

# Gillispie, Anna E

From:

Hamilton, Cristina A

Sent:

Sunday, January 29, 2017 8:15 PM

To:

Levine, Laurence D; Deshommes, Samantha L; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

RE: Executive Order

DHS HQ has been busy with press releases today on the EO. See link below to the DHS.gov site for the 4 press releases issued today.

https://www.dhs.gov/news-releases

Cristina Hamilton
Chief, National Security and
Benefits Integrity Division
Office of Policy and Strategy, USCIS

(b)(6)

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 4:04 PM

**To:** Deshommes, Samantha L; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Riguon, Jeffy L, Silwally, Oscar T, Tyriali, N

Subject: RE: Executive Order

Thanks Sam - there's some other chain that Tammy was on.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Sunday, January 29, 2017 3:58:09 PM

To: Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna);

Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

RCD's questions, timing guidance, etc. is attached.

Forms/PRA: In short, form changes can be accomplished via an emergency approval action, which in comparison with the normal process is quicker, but requires a duplicate action. OMB approval under emergency approval is only valid for 6 months so we'd have to restart the normal process (60- and 30-day Notices) immediately. The speed with which we can submit such actions to OMB depend on the speed with which legal guidance is provided to allow for firm decisions on form changes, additional form questions, etc.; the speed with which OIDP can provide the amended form instruments; and the speed with which IT and OIDP can schedule the revised forms for intake.

Regs: I think the most appropriate timeline to use is the average time it took for us to draft and publish EA-related rulemakings (approx. 12-16 months for drafting, clearing publishing the NPRM, and approx. 6-8 months to consider comments, draft, clear, and publish the final rule). Notice that I didn't opine on the effective date of the reg (which, usually is 30-60 days from the date the final rule publishes). However, the effective date is most dependent on the needs of IT and OIDP schedules.

Additional questions and comments are provided in the attached. Btw, under the assumption this will be posted on the OP&S ECN, I shortened the filename.

Larry: Just a suggestion...Many of the directives in the EO (uniform identify verification) may require new regs and/or workload for both FDNS and IRIS, and I noticed that IRIS wasn't looped in on the email chain forward from Dan. Maybe you should reach out to Tammy to give her a heads-up. Just a suggestion...

Sam

Samantha Deshommes Chief, Regulatory Coordination Division USCIS, Office of Policy & Strategy



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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 3:31 PM

**To:** Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I defer to you all for all counting matters - I'm glad you all picked it up; I don't know why 6 was stuck in my head.

Larry Levine Acting Chief

Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security (b)(6) From: Cummings, Kevin J Sent: Sunday, January 29, 2017 3:28:37 PM To: Levine, Laurence D; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order Not to be a stickler for details, but isn't it 7 countries? --Kevin Kevin J. Cummings Chief, Business & Foreign Workers Division **USCIS** Office of Policy and Strategy Department of Homeland Security This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you. From: Levine, Laurence D Sent: Sunday, January 29, 2017 2:39 PM To: Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries. Larry Levine **Acting Chief** Office of Policy & Strategy

U.S. Citizenship and Immigration Services Department of Homeland Security

(b)(6)

From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 1:19:08 PM

To: Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sent: Sunday, January 29, 2017 1:11:27 PM  To: Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L  Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;  Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S  Subject: RE: Executive Order  I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives.  From: Anderson, Kathryn E  Sent: Sunday, January 29, 2017 7:51:47 AM  To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S  Subject: RE: Executive Order  'Il look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple		
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(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of

foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kat	hryn	And	lerson
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Acting Chief, International and Humanitarian Affairs Division Office of Policy and Strategy, U.S. Citizenship and Immigration Services

Department of Homeland Securit	V

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

**Sent:** Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b))(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28; 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

	( <b>b</b> )(6)
	(h)(0)
Field Operations Directo	rate, Deputy Associate Director
DHS USCIS	
Michael Valverde	

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

**To:** Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

**Subject:** FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

**Subject:** RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel	
Chief, International Operations D	Division
U.S. Citizenship and Immigration	1 Services
	(h)\/

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for

Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of

nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.
From: Scialabba, Lori L Sent: Friday, January 27, 2017 5:59:36 PM To: Renaud, Daniel M; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order
I think that's o.k. and going forward don't schedule these for interviews.
From: Renaud, Daniel M Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order
If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.
Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Services
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order  (b)(5)
FYI. I think Andrew might be right in terms of what is meant bu
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM
To: Renaud, Tracy L  Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L  Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person.

**(b)**(5)

**(b)**(5)

We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington. DC 20529

(b)(6)

### Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 12:19 PM

To:

Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E;

Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

RE: Executive Order

Attachments:

StayOrder.pdf

Attached is the stay order from last night. I've also heard that mandamus actions regarding the EO holds may be coming our way.

Larry Levine

Acting Chief

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Prelogar, Brandon B

Sent: Sunday, January 29, 2017 1:11:27 PM

To: Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives.

From: Anderson, Kathryn E

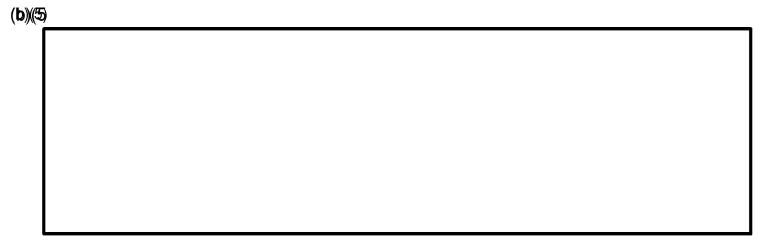
Sent: Sunday, January 29, 2017 7:51:47 AM

To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:



- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
  - 2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

#### Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalle S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

(b)(6)

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

To: Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen

A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

## (b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

This email and any attachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

**To:** Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud Acting Deputy Director US Citizenship & Immigration Services

Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services



From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

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From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

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Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

(b)((5)

FYI. I think Andrew might be right in terms of what is meant but

			( <b>b</b> )(5)
From: Davidson, Andrew J			· · · · · · · · · · · · · · · · · · ·
Sent: Friday, January 27, 2017 12:	37 PM	,	
To: Renaud, Tracy L	onial M. Caiolobbo I.	Sui l	
Cc: Neufeld, Donald W; Renaud, D: Subject: Executive Order	aniei M, Scialabba, Lo	лс	
Tracy,	· ·	•	
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our product lines. If this is the case	then Don and Dan w	■ · · · · · · · · · · · · · · · · · · ·	
on hold. Other than the refugee su clarification we need relative to the	•	rs fully deployed on our end	this appears the most urgent
	: LA3.		•
Thanks,		•	
and the management of the second			
Andrew Davidson Acting Deputy Associate Director			
Fraud Detection and National Security	Directorate		
U.S. Citizenship and Immigration Service			
U.S. Department of Homeland Security			
111 Massachusetts Avenue, NW		*	
Washington, DC 20529	l	•	
	/L \\/25		
	( <b>b</b> )(6)		

UNITED STATES DISTRICT COURT		
EASTERN DISTRICT OF NEW YORK		
	- X	
	:	
HAMEED KHALID DARWEESH and	;	
HAIDER SAMEER ABDULKHALEQ		
ALSHAWI, on behalf of themselves and others	•	
similarly situated,	:	
Petitioners,	:	DECISION AND ORDER
	:	
t		17 Civ. 480 (AMD)
- against -	•	17 614. 400 (711416)
	:	
DONALD TRUMP, President of the United	:	
States; U.S. DEPARTMENT OF		
HOMELAND SECURITY ("DHS"); U.S.	•	
CUSTOMS AND BORDER PROTECTION	:	
("CBP"); JOHN KELLY, Secretary of DHS;	;	
KEVIN K. MCALEENAN, Acting		
Commissioner of CBP; JAMES T.	;	
MADDEN, New York Field Director, CBP,,	:	#
	:	-
Respondents.		
·	. <b>Y</b>	

On January 28, 2017, the petitioners filed an Emergency Motion for Stay of Removal on behalf of themselves and others similarly situated.

ANN DONNELLY, District Judge.

IT APPEARING to the Court from the Emergency Motion for Stay of Removal, the other submissions, the arguments of counsel, and the hearing held on the 28th of January, 2017,

The petitioners have a strong likelihood of success in establishing that the removal of the
petitioner and others similarly situated violates their rights to Due Process and Equal
Protection guaranteed by the United States Constitution;

- There is imminent danger that, absent the stay of removal, there will be substantial and irreparable injury to refugees, visa-holders, and other individuals from nations subject to the January 27, 2017 Executive Order;
- 3. The issuance of the stay of removal will not injure the other parties interested in the proceeding;
- 4. It is appropriate and just that, pending completion of a hearing before the Court on the merits of the Petition, that the Respondents be enjoined and restrained from the commission of further acts and misconduct in violation of the Constitution as described in the Emergency Motion for Stay of Removal.

WHEREFORE, IT IS HEREBY ORDERED that the respondents, their officers, agents, servants, employees, attorneys, and all members and persons acting in concert or participation with them, from the date of this Order, are

ENJOINED AND RESTRAINED from, in any manner or by any means, removing individuals with refugee applications approved by U.S. Citizenship and Immigration Services as part of the U.S. Refugee Admissions Program, holders of valid immigrant and non-immigrant visas, and other individuals from Iraq, Syria, Iran, Sudan, Libya, Somalia, and Yemen legally authorized to enter the United States.

IT IS FURTHER ORDERED that to assure compliance with the Court's order, the Court directs service of this Order upon the United States Marshal for the Eastern District of New York, and further directs the United States Marshals Service to take those actions deemed necessary to enforce the provisions and prohibitions set forth in this Order.

Case 1:17-cv-00480 Document 8 Filed 01/28/17 Page 3 of 3 PageID #: 83

SO ORDERED.

Ann M. Donnelly United States District Judge

Dated: Brooklyn, New York January 28, 2017

### Gillispie, Anna E

From:

Anderson, Kathryn E

Sent:

Sunday, January 29, 2017 6:52 AM

To:

Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

RE: Executive Order

Attachments:

Executive Order PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO

....docx; Congressional research service report January 2017 on 212(f).pdf

<b>:</b> :	( <b>b</b> ))(5)

- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
  - 2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn Anderson Acting Chief, International and Humanitarian Affairs Division Office of Policy and Strategy, U.S. Citizenship and Immigration Services	
Denartment of Homeland Security  (b) (6)	
From: Cummings, Kevin J Sent: Sunday, January 29, 2017 6:30 AM To: Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maure A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order	
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Kevin	
Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security	•
This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or proby applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended reciplease notify the sender and delete or destroy all copies. Thank you.	
From: Levine, Laurence D Sent: Sunday, January 29, 2017 6:29 AM To: Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maure A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order	en
Thanks Sam	
Larry Levine	
Acting Chief Office of Policy & Strategy	
U.S. Citizenship and Immigration Services	
Department of Homeland Security	

(**b**)(**6**)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS. Office of Policy & Strategy

(b)(6)

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Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

and Immigration Services

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde

#### DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud

Associate Director | Field Operations Directorate

U.S. Citizenship and Immigration Services

Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud Acting Deputy Director US Citizenship & Immigration Services

Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

ivision
Services
(b)(6)

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Service	ces
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	(b))(5)
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	·
It is my understanding that POTUS will sign the "Protecting the National today at 4:30pm. In complying with the EA I believe we need immed day suspension of processing immigrants and non-immigrants from extends to processing of permanent resident applications. Though the	iate clarification in Section 3 (c) relative to the 30 the designated countries of interest and if this (b) ne EA states "immigrant and non-immigrant entry
into the United States", once we grant an adjustment we "admit" th	at person.  Ve just need to clarify if by extension this applies to
our product lines. If this is the case then Don and Dan will need to ge on hold. Other than the refugee suspension that appears fully deplo- clarification we need relative to the EAs.	et guidance to the Field to put these adjudications
Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529	
(L)\/05	

## Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

POLICY: It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

#### **GENERAL OBJECTIVES:**

- Be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they
  have no ties to terrorism.
- Ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles
- We cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American
  law
- We should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation

Date conversions			
Days from order	Date '		
30	2/26		
60	3/28		
90 ·	4/27		
100	5/7		
120	5/27		
180	7/26		
200	8/15		

		Action	Purpose	Timeline	Notes	Questions/Comments
Section 3	: Suspension of Issu	ance of Visas and	Other Immigration Benefits to	Nationals of Co	untries of Particular Concern	The second secon
3a	DHS	Review	Determine information	Immediate		
			needed from any country to			
	In consultation with		adjudicate any visa, admission			
	DOS/DNI		or benefit under the INA in			, 1
			order to determine that the			
			individual seeking the benefit			
			is who the individual claims to			
			be and is not a security or			
			public safety threat.			

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
3b	DHS	Report	Information identified in review under 3a	30 days from Jan 27	Report to President Copy to DOS/DNI	
3c	DHS/DOS	Suspend	Admission of immigrants and nonimmigrants from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya	For 90 days from Jan 27	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	<ol> <li>Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130,?</li> <li>Should we deschedule oath ceremonies for individuals from the 7?</li> <li>How do we handle N-400s 120+ days from interview?</li> <li>Should we stop RFEs?</li> <li>Should we stop scheduling interviews?</li> <li>What about change of status from other NIV categories to NATO visas, C-2 travel visas (UN) andG-1, G-2, G-3, and G-4 visas?</li> <li>What about change of status for NIVs for these countries?</li> </ol>
3d	DOS	Request	Secretary shall request all foreign governments that do not supply information identified in 3a review to provide such information.	Immediately following report in 3b	Foreign governments will be given 60 days to begin providing information	
3e	DHS In consultation with DOS	Recommendation	Recommend countries whose foreign nationals would be prohibited entry to the United States due to the country's failure to provide information requested by the U.S. as described in 3d	After 60 day period outlined in 3d	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	
3g*					*Exception:  DHS and DOS may on a case-by-case and when in national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.	
3f	DHS or DOS	Recommendation	Add countries to list of those whose nationals are prohibited from entering the U.S. due to failure to provide information as requested by the U.S. (3d)	After submission of List Indefinite		
3h	DH\$ and DO\$	Joint Report	Report progress implementing Order	30 days 60 days		

Section	Actor(s)	Action	Purpose	: Timeline	Notes	Questions/Comments
				90 days		
				120 days		
				From Jan 27		
Section 4	: Implementing Un	form Screening Stand	ards for All Immigrant Prop	grams	A A A A A A A A A A A A A A A A A A A	
4a	DHS/DOS/DNI/FBI	Implement Program	To identify individuals	Initial progress		Do we need to take any actions prior to
		as part of	seeking to enter US on a	report due within		the "plan" described in section four being
		adjudications process	fraudulent basis with intent	60 days of Jan 27		developed and implemented?
		to include	to cause harm, or who are			2. Who is responsible for developing the
		development of:	at risk of causing harm			plan?
		,	subsequent to admission.			Might this functionality [database to collect identity documents] already exist
						and be implemented?
		Uniform screening				4. Would these [amended application forms]
		standard and				be internal worksheets and not OMB
		procedure, such as				cleared changes to existing forms?
		interviews				5. [Regarding mechanism to ensure
			_			applicant's claimed identity] Beyond
		<ul> <li>Database</li> </ul>	Capture identity			existing measures/capabilities? Enhanced
			documents proffered by			data share?
			applicants and prevent			
			duplicate documents from			·
			being used by multiple			
			applicants			
		,				
		- 0	a. To add ayastians simed at			
		Amended     Analisasian Farms	To add questions aimed at		,	
		Application Forms	identifying fraudulent answers and malicious			
			intent			
			lintent		1	
		Mechanism	To ensure applicant is who			
			the applicant claims to be			,
		<ul> <li>Process</li> </ul>	To evaluate the applicant's			
			likelihood of becoming a		•	
			positively contributing			
			member of society and the			'
			applicant's ability to make			
			contributions to the			4
		·	national interest			
		Mechanism	To assess whether or not			
		* INCLIBITION	the applicant has the intent			
			to commit criminal or			
			terrorist acts after entering			
			the U.S.			,
	<u> </u>	<u>.,,,,</u>	uic O.J.	1	<u> </u>	<u></u>

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
4b	DHS/DOS/DNI/FBI	Report	Report progress of initiatives under 4a	Within 60 days, 100 days, 200 days of Jan 27	Report to President	
Sec. 5. Re	alignment of the U.S. I	Refugee Admissions Pr	ogram for Fiscal Year 2017.			
5a	DOS	Suspend the USRAP program		For 120 days from Jan 27		
5a	DOS In consultation with DHS/DNI	Review	Review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States	Within 120 days of Jan 27		
5a	In consultation with DHS/DNS	Implement	Implement procedures identified during review	Within 120 days of Jan 27	Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures.	
5a	DOS	Resume USRAP		120 days after order	Limited to nationals of countries for which the DHS/DOS/DNI have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States	
5b	DOS In consultation with DHS	Prioritize Refugee Claims	Prioritize claims made by individuals on the basis of religious-based persecution.		Individual's religion must be a minority religion in the individual's country of nationality.	
5b	DOS/DHS	Recommend Legislation	To support prioritization of refugee claims as noted immediately above.			
Se Exception	President	Suspend admission of Syrian refugees		Until the president determines sufficient changes have been made to USRAP to ensure admission of Syrian Refugees is consistent with the national interest.	Exception:  DHS/DOS have discretion to jointly determine to admit individuals to the United  States as refugees on a case-by-case basis only so long as they determine that the admission of such individuals as refugees is in the national interest — including when the person is a religious minority in his country of nationality	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
					facing religious persecution, when admitting the person would enable the United States to conform its conduct to a preexisting international agreement, or when the person is already in transit and denying admission would cause undue hardship and it would not pose a risk to the security or welfare of the United States.	
5d	President	Limit refugee		Until such time as		
		admissions to 50,000 in FY 2017		the president determines that additional admissions would be in the national interest	, , ,	
5f 📜	DOS	Report	Progress of prioritization of	Within 100 days		
	1144		claims under S(b)	and 200 days of Jan 27		* :
Sg	DHS	Determine based on existing law	Extent to which state and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions			
5g	DHS	Propose	Plan to involve state/local jurisdictions in refugee resettlement process			
Sec., 6. Re	scission of Exercise of A	Authority Relating to t	he Terrorism Grounds of Inad	missibility		
6a	DOS/DHS In consultation with	Review and consider rescinding	Authorities under INA 212 (8 USC 1182) relating to TRIG and related memoranda	Undefined		Should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming
	pedited Completion of		kit Tracking System.	· ·		
7a	DHS	Expedite completion and implementation of a biometric entry- exit tracking system for all travelers to the United States			Recommended by the National Commission on Terrorist Attacks Upon the United States	
7b	DHS	Report	Progress on directive in 7a	Within 100 days 200 days and 365		

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
				days of Jan 27 and		
				every 180 days		
				thereafter until		
				the system is fully		
				deployed and		,
				operational.		
Sec. 8. Vis	a Interview Security.	DOS			. <u></u>	
8a	DOS	Suspend	Visa Interview Waiver	Immediately	Require in-person interview	
			Program		for all individuals seeking a	
					NIV, subject to statutory	
					exceptions	
8b	DOS	Expand	Consular Fellows Program		To extent permitted by law	
					and by available	
					appropriations: substantially	
	1				increase the number of	
!					fellows; lengthening or making the period of service	
			1		permanent; make language	
					services (FSI) available to	
					expand post options	
Sec. 9. Vis	a Validity Reciprocity					
	DOS	Review and align	To the extent practicable,		As applies to validity period	
			ensure visa reciprocity		and fees, as required by	
•			agreements for each visa		sections 221(c) and 281 of the	
			classification are truly		INA, 8 U.S.C. 1201(c) and	
			reciprocal. If not reciprocal,		1351, and other treatment	
ļ			adjust the visa validity period, fee schedule, or other			
			treatment to match the			
,		•	treatment of United States			
			nationals by the foreign			
			country.			
			,			
	ransparency and Data		·	T	,,- La.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ;
10a	DHS	Collect and Publish	Number of foreign nationals	Within 180 days	Data since the date of this	
	L	Information	in the United States who have	and every 180	order or the last reporting	
	In consultation with		been:	days thereafter	period, whichever is later	
	Attorney General		charged with terrorism- related offenses while in the			
			United States;			
			convicted of terrorism-			
			related offenses while in the			
			United States;			
			removed from the United			
			States based on terrorism-			

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
			related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons  radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States  information regarding the number and types of acts of gender-based violence against women, including honor killings,  any other information relevant to public safety and security, including information on the immigration status of foreign nationals charged with major offenses			
11b	DOS	Report	Estimated long term costs of	Within one year		
			USRAP at Federal, State and Local levels	of Jan 27		



# **Executive Authority to Exclude Aliens: In Brief**

**Kate M. Manuel**Acting Section Research Manager

January 23, 2017

Congressional Research Service

7-5700 www.crs.gov

R44743

CRS REPORT
Prepared for Members and
Committees of Congress —

# Summary

The Immigration and Nationality Act (INA) provides that individual aliens outside the United States are "inadmissible"—or barred from admission to the country—on health, criminal, security, and other grounds set forth in the INA. However, the INA also grants the Executive several broader authorities that could be used to exclude certain individual aliens or classes of aliens for reasons that are not specifically prescribed in the INA.

Section 212(f) of the INA is arguably the broadest and best known of these authorities. It provides, in relevant part, that

Whenever the President finds that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, he may by proclamation, and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on the entry of aliens any restrictions he may deem to be appropriate.

Over the years, Presidents have relied upon Section 212(f) to suspend or otherwise restrict the entry of individual aliens and classes of aliens, often (although not always) in conjunction with the imposition of financial sanctions upon these aliens. Among those so excluded have been aliens whose actions "threaten the peace, security, or stability of Libya"; officials of the North Korean government; and aliens responsible for "serious human rights violations."

Neither the text of Section 212(f) nor the case law to date suggests any firm legal limits upon the President's exercise of his authority to exclude aliens under this provision. The central statutory constraint imposed on Section 212(f)'s exclusionary power is that the President must have found that the entry of any alien or class of aliens would be "detrimental to the interests of the United States." The statute does not address (1) what factors should be considered in determining whether aliens' entry is "detrimental" to U.S. interests; (2) when and how proclamations suspending or restricting entry should be issued; (3) what factors are to be considered in determining whether particular restrictions are "appropriate"; or (4) how long any restrictions should last. The limited case law addressing exercises of presidential authority under Section 212(f) also supports the view that this provision confers broad authority to bar or impose conditions upon the entry of aliens. Key among these cases is the Supreme Court's 1993 decision in Sale v. Haitian Centers Council, Inc., which held that the U.S. practice of interdicting persons fleeing Haiti outside U.S. territorial waters and returning them to their home country without allowing them to raise claims for asylum or withholding of removal did not violate the INA or the United Nations Convention Relating to the Status of Refugees. The U.S. practice had been established by Executive Order 12807, which was issued, in part, under the authority of Section 212(f) and "suspend[ed] the entry of aliens coming by sea to the United States without necessary documentation." However, depending on their scope, future executive actions under Section 212(f) could potentially be seen to raise legal issues that have not been prompted by the Executive's prior exercises of this authority.

Beyond Section 212(f), other provisions of the INA can also be seen to authorize the Executive to restrict aliens' entry to the United States. Most notably, Section 214(a)(1) prescribes that the "admission of any alien to the United States as a nonimmigrant shall be for such time and under such conditions as [the Executive] may by regulations prescribe." Section 215(a)(1) similarly provides that "it shall be unlawful for any alien" to enter or depart the United States "except under such reasonable rules, regulations, and orders, and subject to such limitations and exceptions as the President may prescribe." For example, President Carter cited Section 215(a)—rather than Section 212(f)—when authorizing the revocation of immigrant and nonimmigrant visas issued to Iranian citizens during the Iran Hostage Crisis.

# **Contents**

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he Immigration and Nationality Act (INA) provides that individual aliens outside the United States are "inadmissible"—or generally barred from admission to the country —on health, criminal, security, and other grounds set forth in the INA. However, the INA also grants the Executive several broad authorities that could be used to exclude certain individual aliens or classes of aliens for reasons that are not specifically set forth in the INA. Section 212(f) of the INA is arguably the broadest and best known of these provisions, but Sections 214(a)(1) and 215(a)(1) can also be seen to authorize the Executive to restrict aliens' entry or admission to the United States.

This report provides a brief overview of the Executive's authority under these provisions of the INA. It begins with and focuses primarily on Section 212(f). It also briefly notes other provisions.

# Section 212(f) of the INA

The provisions currently in Section 212(f)—which have been part of the INA since its enactment in 1952<sup>5</sup>—state, in relevant part, that

Whenever the President finds that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, he may by proclamation and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on the entry of aliens any restrictions he may deem to be appropriate.<sup>6</sup>

Legislative history materials from the time of the INA's enactment suggest that these provisions were seen to grant the President broad authority to bar or impose conditions upon the entry of aliens, and Presidents over the years have relied upon Section 212(f) to suspend or restrict the entry of various groups of aliens, often (although not always) in conjunction with the imposition of financial sanctions upon them. Among those so excluded have been aliens whose actions

<sup>&</sup>lt;sup>1</sup> The INA defines "admission" to mean "the lawful entry of an alien into the United States after inspection and authorization by an immigration officer." INA § 101(a)(13)(A), 8 U.S.C. § 1101(a)(13)(A). The INA is codified in Title 8 of the United States Code, and references to the INA in this report also include references to the corresponding sections of Title 8.

<sup>&</sup>lt;sup>2</sup> See INA § 212(a), 8 U.S.C. § 1182(a) (prescribing the inadmissibility of, among others, aliens who have a communicable disease of public health significance; have been convicted of two or more criminal offenses; have engaged in a terrorist activity; are permanently ineligible for citizenship; or have previously voted in violation of any federal, state, or local law). Certain of these grounds of inadmissibility may be waived. See, e.g., INA § 212(a)(9)(B)(v), 8 U.S.C. § 1182(a)(9)(B)(v) (authorizing the Executive to waive the 3- and 10-year bars upon the admission of aliens who have been unlawfully present in the United States for more than 180 days if the refusal of admission to the alien would result in "extreme hardship" to a parent or spouse who is a U.S. citizen or lawful permanent resident (LPR)).

<sup>3 8</sup> U.S.C. § 1182(f).

<sup>&</sup>lt;sup>4</sup> 8 U.S.C. §§ 1184(a)(1), 1185(a)(1). As is discussed later in this report, the term "entry" is no longer defined for purposes of the INA. See Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), P.L. 104-208, § 301(a), 110 Stat. 3009-575 (Sept. 30, 1996) (amending INA § 101(a)(13) so that it defines "admission," instead of "entry"). However, at one time, the INA defined the term "entry" to mean "any coming of an alien into the United States, from any foreign port or place or from an outlying possession, whether voluntarily or otherwise." INA § 101(a)(13), 8 U.S.C. § 1101(a)(13) (1994). See infra notes 26-27 and accompanying text.

<sup>5 8</sup> U.S.C. § 1182(f).

<sup>&</sup>lt;sup>6</sup> See P.L. 82-414, § 212(e), 66 Stat. 188 (June 27, 1952).

<sup>&</sup>lt;sup>7</sup> See, e.g., H.R. RPT. 1365, 82d Cong., 2d Sess., at 53 (Feb. 14, 1952) ("The bill vests in the President the authority to suspend the entry of all aliens if he finds that their entry would be detrimental to the interests of the United States, for such period as he shall deem necessary.").

"threaten the peace, security, or stability of Libya"; officials of the North Korean government or the Workers' Party of North Korea; aliens who have participated in "serious human rights violations"; and others noted in **Table 1** below.

Neither the text of Section 212(f) nor the case law to date suggests any firm legal constraints upon the President's exercise of his authority under Section 212(f), as is explained below. However, future executive actions under INA § 212(f) could potentially be seen to raise legal issues that have not been prompted by the Executive's prior exercise of this authority. 11

### Statutory Language and Executive Branch Interpretations

On its face, Section 212(f) would appear to give the President broad authority to preclude or otherwise restrict the entry into the United States of individual aliens or classes of aliens who are outside the United States and lack recognized ties to the country. The central statutory constraint imposed on Section 212(f)'s exclusionary power is that the President must have found that the entry of any aliens or class of aliens would be "detrimental to the interests of the United States" in order to exclude the alien or class of aliens. The statute does not address (1) what factors should be considered in determining whether aliens' entry is "detrimental" to U.S. interests; (2) when and how proclamations suspending or restricting entry should be issued; (3) what factors are to be considered in determining whether particular restrictions are "appropriate"; or (4) how long any restrictions should last. There also do not appear to be any regulations addressing the exercise of presidential authority under Section 212(f).

The Department of State's Foreign Affairs Manual (FAM) seemingly provides the only publicly available executive branch guidance on the President's Section 212(f) authority. In relevant part, the FAM notes that Section 212(f) proclamations "typically" grant the Secretary of State authority to identify individuals covered by the proclamation and to waive its application for foreign policy

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<sup>&</sup>lt;sup>8</sup> See Executive Order 13726, Blocking Property and Suspending Entry Into the United States of Persons Contributing to the Situation in Libya, 81 Fed. Reg. 23559 (Apr. 21, 2016).

<sup>&</sup>lt;sup>9</sup> See Executive Order 13687, Imposing Additional Sanctions With Respect To North Korea, 80 Fed. Reg. 819 (Jan. 6, 2015).

<sup>&</sup>lt;sup>10</sup> See Suspension of Entry as Immigrants and Nonimmigrants of Persons Who Participate in Serious Human Rights and Humanitarian Law Violations and Other Abuses, 76 Fed. Reg. 49277 (Aug. 9, 2011).

<sup>&</sup>lt;sup>11</sup> Not knowing the form that future restrictions might take, or the grounds upon which such restrictions might be subject to legal challenges, it would be premature to assess whether specific restrictions might be within the Executive's authority. However, it is important to note that aliens outside the United States who have no ties to the country generally have limited ability to challenge the denial of visas or admission to them. See, e.g., Shaughnessy v. Mezei, 345 U.S. 206, 216 (1953) ("Whatever our individual estimate of that policy and the fears on which it rests, respondent's right to enter the United States depends on the congressional will, and courts cannot substitute their judgment for the legislative mandate."); United States ex rel. Knauff v. Shaughnessy, 338 U.S. 537, 542 (1950) ("[A]n alien who seeks admission to this country may not do so under any claim of right. Admission of aliens to the United States is a privilege granted by the sovereign United States Government. Such privilege is granted to an alien only upon such terms as the United States shall prescribe."). But see Kleindienst v. Mandel, 408 U.S. 753, 762-63 (1972) (recognizing that U.S. persons adversely affected by the denial of a visa waiver to an alien outside the United States may have a right to challenge the denial under certain circumstances).

<sup>&</sup>lt;sup>12</sup> LPRs who leave the United States for a brief period of time are distinguishable from, for example, refugees seeking to be admitted to the United States. See, e.g., Landon v. Plasencia, 459 U.S. 21, 32 (1982) (discussing due process concerns raised by the application to an LPR of a statute which provided for the exclusion of any alien who "at any time shall have, knowingly and for gain, encouraged, induced, assisted, abetted, or aided any other alien to enter or to try to enter the United States in violation of law").

<sup>13</sup> INA § 212(f), 8 U.S.C. § 1182(f).

or other national interests.<sup>14</sup> The FAM also notes that such proclamations may bar entry based on either affiliation or "objectionable" conduct. In addition, it provides that Section 212(f) may reach persons who are inadmissible under other provisions of law, in which case, the "statutory inadmissibilities are to be considered prior to determining whether a Presidential Proclamation applies." However, the FAM is generally not seen as having the force of law to bind the executive branch. Thus, the Executive would not need to engage in notice-and-comment rulemaking in order to alter particular practices contained in the FAM that have historically been associated with exercises of Section 212(f) authority (e.g., not relying on a 212(f) proclamation to bar the admission of aliens who are inadmissible on other grounds). <sup>17</sup>

### Judicial Constructions of Section 212(f)

The limited case law addressing exercises of presidential authority under Section 212(f) also supports the view that this provision of the INA confers broad authority to suspend or restrict the entry of aliens. Key among these cases is the Supreme Court's 1993 decision in Sale v. Haitian Centers Council, Inc., which held that the U.S. practice of interdicting persons fleeing Haiti outside U.S. territorial waters and returning them to their home country without allowing them to raise claims for asylum and withholding of removal did not violate either the INA or the United Nations Convention Relating to the Status of Refugees. The U.S. practice had been established by Executive Order 12807, which was issued, in part, under the authority of Section 212(f) of the INA and "suspend[ed] the entry of aliens coming by sea to the United States without necessary documentation." Although the Sale Court was primarily concerned with whether the INA and UN Convention provisions regarding withholding of removal applied extraterritorially, it is arguably important for understanding the scope of the President's Section 212(f) authority. In particular, the Sale decision arguably helped clarify the relationship between exercises of the authority granted by Section 212(f) and those granted by other provisions of the INA, as well as the meaning of entry for purposes of Section 212(f).

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<sup>14 9</sup> FAM § 302.11-3(B)(1), available at h https://fam.state.gov/Fam/FAM.aspx (last accessed: Jan. 3, 2017).
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<sup>&</sup>lt;sup>16</sup> See, e.g., Patel v. U.S. Dep't of State, No. 11-cv-6-wmc, 2013 U.S. Dist. LEXIS 108592, at \*13 (W.D. Wis. Aug. 2, 2013) ("[T]he Foreign Affairs Manual is an internal guideline that sets forth agency practice and procedures. Because internal guidelines and agency manuals like the Foreign Affairs Manual are not subject to [Administrative Procedure Act] APA rulemaking procedures, they lack the force of law and do not bind agency discretion.").

<sup>&</sup>lt;sup>17</sup> For more on the constraints of the rulemaking process, see generally CRS Report R41546, A Brief Overview of Rulemaking and Judicial Review, by Todd Garvey and Daniel T. Shedd; CRS Report RL32240, The Federal Rulemaking Process: An Overview, coordinated by Maeve P. Carey.

<sup>&</sup>lt;sup>18</sup> 509 U.S. 155, 158-59 (1993). Specifically at issue in *Sale* were the provisions currently in INA § 241(b)(3)(B) and Article 33 of the Convention, which both bar the return of aliens to countries where their life or freedom would be threatened because of their race, religion, nationality, political opinion, or membership in a particular social group. The United States is technically a party to the 1967 UN Protocol Relating to the Status of Refugees, not the 1951 Convention Relating to the Status of Refugees. However, the Protocol incorporated articles 2 to 34 of the Convention, and it is customary for commentators to refer to the Convention, not the Protocol, when discussing these articles.

<sup>&</sup>lt;sup>19</sup> Executive Order 12,807 also cited INA § 215(a)(1), which provides that "[u]nless otherwise ordered by the President, it shall be unlawful for any alien to depart from or enter ... the United States except under such reasonable rules, regulations, and orders, and subject to such limitations and exceptions as the President may prescribe." 8 U.S.C. § 1185(a)(1). For further discussion of this provision, see *infra* "Other Provisions of the INA".

<sup>&</sup>lt;sup>20</sup> See Interdiction of Illegal Aliens, 57 Fed. Reg. 23133 (June 1, 1992). President George H.W. Bush initially issued this order, but President Clinton left the order in place without modifications when he took office. It remained in effect at the time of the Court's decision in Sale. See generally 509 U.S. at 165.

<sup>&</sup>lt;sup>21</sup> Sale, 509 U.S. at 173-88.

In particular, the Court rejected the view of the U.S. Court of Appeals for the Second Circuit ("Second Circuit") that interdiction was prohibited because of the INA's prohibition upon the then-Attorney General returning an alien to a country where he or she would be persecuted.<sup>22</sup> The Second Circuit had reached this conclusion by noting that the Attorney General was the President's "agent" in matters of immigration. 23 Therefore, it found that INA's prohibition on the Attorney General returning aliens to countries where the alien's life or freedom would be threatened because of the alien's race, religion, nationality, political opinion, or membership in a particular social group should be imputed to the rest of the executive branch.<sup>24</sup> The Supreme Court disagreed, however, holding that the interdiction program created by the President did not "usurp[] authority that Congress has delegated to, or implicate[] responsibilities that it has imposed on, the Attorney General alone."25 The Court reached this conclusion, in part, because it viewed the INA as restricting only the then-Attorney General's immigration-related responsibilities under the act. It did not view the INA as restricting the President's actions in geographic areas outside of where Congress had authorized the Attorney General to act in the immigration context (i.e., outside the United States).<sup>26</sup> The upshot of this reasoning was that the Court declined to find that the interdiction program implemented under the authority of Section 212(f) ran afoul of statutory or treaty-based restrictions.

The Sale decision also helped define what is meant by the term entry as that term is used in Section 212(f). At the time when Sale was decided, the INA explicitly defined entry to encompass "any coming of an alien into the United States, from any foreign port or place or from an outlying possession, whether voluntarily or otherwise." Therefore, consistent with this definition, the Court distinguished between (1) aliens who are "on our shores seeking admission" or "on the threshold of initial entry," and (2) aliens who are within the United States after entry, regardless of the legality of that entry. While the statutory definition of entry that the Court relied upon was deleted from the INA as part of the amendments made by the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 (P.L. 104-208), the Sale Court's construction of entry has persisted in discussions of Section 212(f) and in other contexts.

<sup>&</sup>lt;sup>22</sup> Id. at 171-72. For several decades, the authority to interpret, implement, and enforce the provisions of the INA was primarily vested in the Attorney General. The Attorney General, in turn, delegated this authority to the Immigration and Naturalization Service (INS) within the Department of Justice. Following the establishment of the Department of Homeland Security (DHS) pursuant to the Homeland Security Act of 2002 (P.L. 107-296), the INS was abolished and its functions were generally transferred to DHS. See 6 U.S.C. § 251. Although the INA still refers to the Attorney General in multiple places, such references are generally (although not universally) taken to mean the Secretary of Homeland Security. See generally CRS Legal Sidebar WSLG553, Does It Matter Whether the INA Says DOJ or DHS?: An Example Involving Revocation of Asylum, by Kate M. Manuel.

<sup>&</sup>lt;sup>23</sup> Haitian Centers Council, Inc. v. McNary, 969 F.2d 1350, 1360 (2d Cir. 1992).

<sup>&</sup>lt;sup>24</sup> Id. ("[W]e reject the government's suggestion that since [the relevant provision of the INA] restricts actions of only the attorney general, the President might in any event assign the same "return" function to some other government official. Congress understood that the President's agent for dealing with immigration matters is the attorney general, and we would find it difficult to believe that the proscription of [the INA]—returning an alien to his persecutors—was forbidden if done by the attorney general but permitted if done by some other arm of the executive branch.").

<sup>25</sup> Sale, 509 U.S. at 172.

<sup>&</sup>lt;sup>26</sup> Id. at 173. See also INA § 103(a)(1), 8 U.S.C. § 1103(a)(1) ("The Secretary of Homeland Security shall be charged with the administration and enforcement of this chapter and all other laws relating to the immigration and naturalization of aliens, except insofar as this chapter or such laws relate to the powers, functions, and duties conferred upon the President....").

<sup>&</sup>lt;sup>27</sup> INA § 101(a)(13), 8 U.S.C. § 1101(a)(13) (1994).

<sup>28</sup> Sale, 509 U.S. at 174.

<sup>&</sup>lt;sup>29</sup> P.L. 104-208, § 301(a), 110 Stat. 3009-575 (amending Section 101(a)(13) of the INA to define *admission*, instead of (continued...)

Lower court decisions provide some further discussion of exercises of 212(f) authority that would seem to be consistent with Sale. The most recent of these, an unpublished 2003 decision by the Second Circuit in Sesay v. Immigration and Naturalization Service [INS], granted deference to the Board of Immigration Appeals' (BIA's) determination that the alien petitioner was ineligible for asylum because a grant of asylum necessarily requires entry, and the petitioner's entry was barred by Presidential Proclamation 7062. Previously, in its 1992 decision in Haitian Refugee Center, Inc. v. Baker, the U.S. Court of Appeals for the Eleventh Circuit had noted various precedents characterizing the power to exclude aliens from the country as an "inherent executive power" when opining that Section 212(f) "clearly grants the President broad discretionary authority to control the entry of aliens into the United States." A lower court, the U.S. District Court for the Northern District of California, similarly emphasized the breadth of the executive's power over entry in conjunction with its discussion of Section 212(f) in its 1996 decision in Encuentro del Canto Popular v. Christopher, stating,

The exclusion of aliens is a fundamental act of sovereignty. The right to do so stems not alone from legislative power but is inherent in the executive power to control the foreign affairs of the nation. When Congress prescribes a procedure concerning the admissibility of aliens, it is not dealing alone with a legislative power. It is implementing an inherent executive power.<sup>33</sup>

Collectively, Sale and these other decisions suggest that Section 212(f) gives the Executive significant power to bar or impose conditions upon the entry of aliens "on our shores seeking admission" or "on the threshold of initial entry." None of these decisions note any limitations upon the President's power under Section 212(f). This silence could, however, be seen, in part, to reflect the arguably limited nature of the Executive's use of its Section 212(f) authority to date. As **Table 1** below illustrates, prior exercises of presidential authority under Section 212(f) have

<sup>(...</sup>continued)

entry). See supra note 5.

<sup>&</sup>lt;sup>30</sup> See, e.g., Sesay v. INS, 74 Fed. App'x 84, 86 (2d Cir. 2003) (considering the meaning of "entry" in the course of addressing whether a grant of asylum requires entry into the United States); *Matter of* Rosas-Ramirez, 22 I. & N. Dec. 616, 617 (BIA 1999) (discussing whether adjustment of status while within the United States constitutes an "admission" for purposes of INA § 237(a)(2)(A)(iii), and noting that admission is defined, in part, in terms of "entry").

<sup>&</sup>lt;sup>31</sup> 74 Fed. App'x at 86. The BIA is the highest administrative tribunal for interpreting and applying immigration law. The Second Circuit noted, but did not address, arguments as to the relationship between Sections 212(d) and 212(f) in its decision. The Secretary of Homeland Security's authority to parole aliens into the United States under Section 212(d), however, could be seen as a counterpart to the President's authority under Section 212(f) in that the President may "parole"—or permit the entry into the United States—almost any alien, regardless of whether the alien is subject to one or more of the grounds of inadmissibility set forth in Section 212(a). See INA § 212(d)(5)(A), 8 U.S.C. § 1182(d)(5)(A) ("The Attorney General [later, Secretary of Homeland Security] may [subject to certain restrictions involving refugees and alien laborers] in his discretion parole into the United States temporarily under such conditions as he may prescribe only on a case-by-case basis for urgent humanitarian reasons or significant public benefit any alien applying for admission to the United States....").

<sup>32 953</sup> F,2d 1498, 1506-08 (11th Cir. 1992).

<sup>&</sup>lt;sup>33</sup> 930 F. Supp. 1360, 1365 (N.D. Cal. 1996) (quoting Knauff v. Shaughnessy, 338 U.S. 537 (1949) (upholding the executive branch's determination to exclude the alien wife of a former U.S. servicemember, who was eligible for admission under the War Brides Act of 1945, because of concerns that her admission would endanger public safety)). The *Christopher* case arose from a challenge to the denial or revocation of visas to certain Cubans pursuant to Presidential Proclamation 5377, which suspended the entry of individuals whom the Secretary of State (or a designee) considered to be officers or employees of the Cuban government or Cuban Communist Party. As the district court noted, although the plaintiffs at times seem to have suggested that Section 212(f) itself is invalid, their argument was best construed as being that Presidential Proclamation 5377 was invalid because it conflicted with Section 901 of the Foreign Relations Authorization Act for FY1988-1989. *Id.* at 1363.

<sup>34</sup> Sale, 509 U.S. at 174.

differed in terms of which and how many aliens are subject to exclusion. In no case to date, though, has the Executive purported to take certain types of action, such as barring all aliens from entering the United States for an extended period of time or explicitly distinguishing between categories of aliens based on their religion. Any such restrictions could potentially be seen to raise legal issues that were not raised by prior exclusions. For example, if the Executive were to seek to bar the entry of all aliens, as immigrants or nonimmigrants, for an extended time, questions could be raised about whether the President's action was consistent with Congress's intent in enacting statutes which prescribe criteria for the issuance of family- and employment-based immigrant and nonimmigrant visas and authorize the issuance of certain numbers of such visas each year. Similarly, if the President were to purport to exclude aliens based on their religion, an argument could potentially be made that this action is in tension with U.S. treaty obligations or the First Amendment. (Distinctions between aliens based on nationality, in contrast, have historically been viewed as a routine feature of immigration legislation and subjected to deferential "rational basis" review by the courts. (President were to purport to exclude aliens and subjected to deferential "rational basis" review by the courts.

#### Table 1. Categories of Aliens Excluded under INA § 212(f)

Arranged Chronologically, from the Most to the Least Recent, by the Date of Their Publication in the Federal Register

Date & President	Nature of the Exclusion
2016, Apr. 21 – Obama	Suspending the entry into the United States, as immigrants or nonimmigrants, of
Executive Order 13726, 81 Fed. Reg. 23559	aliens who are determined to have "contributed to the situation in Libya" in specified ways (e.g., engaging in "actions or policies that threaten the peace,
Meg. 20007	security, or stability" of that country or may lead to or result in the

<sup>&</sup>lt;sup>35</sup> For example, Section 203(a)(1) provides that "[q]ualified immigrants who are the unmarried sons or daughters of citizens of the United States *shall* be allocated visas in a number not to exceed 23,400" (with some additions possible) each year. *See* 8 U.S.C. § 1153(a)(1). "Shall" has been construed to indicate mandatory agency action when used in other contexts. *See*, e.g., Kirtsaeng v. John Wiley & Sons, Inc., 136 S. Ct. 1979, 1983 (2016); Kingdomware Techs., Inc. v. United States, 136 S. Ct. 1969, 1977 (2016); Halo Elecs., Inc. v. Pulse Elecs., Inc., 136 S. Ct. 1923, 1931 (2016).

<sup>&</sup>lt;sup>36</sup> For example, Article 2 of the International Covenant on Civil and Political Rights provides that "[e]ach State Party ... undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind" based on religion, among other things. United Nations, Human Rights, Office of the High Commissioner, International Covenant on Civil and Political Rights, http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx (last accessed: Jan. 14, 2017). The United States ratified this Convention in 1992, with certain reservations, understandings, and declarations. See, e.g., Kristina Ash, U.S. Reservations to the International Covenant on Civil and Political Rights: Credibility Maximization and Global Influence, 3 Nw. J. INT'L HUM. RTS. 1, 2 (2005). However, "Congress has not made the treaty enforceable in U.S. courts," and commentators have disagreed as to whether it or other provisions of law (e.g., the First Amendment) could serve as basis for invalidating the exclusion of certain aliens because of their religion. See, e.g., Debra Cassens Weiss, Would SCOTUS Uphold Trump's Plan to Bar Muslim Immigrants, ABA'J., Dec. 9, 2015, http://www.abajournal.com/news/article/would\_scotus\_uphold\_trumps\_plan\_to\_bar\_muslim\_immigrants.

<sup>&</sup>lt;sup>37</sup> Aliens outside the United States without recognized ties to the country might have difficulty in maintaining such a challenge. *See id.* However, in certain cases, a ban on the entry of persons based on religion could potentially be seen to impinge upon the First Amendment rights of U.S. citizens by, for example, excluding officers and teachers of that religion. *Cf.* Kleindienst v. Mandel, 408 U.S. 753, 762-63 (1972) (recognizing that U.S. persons whose constitutional rights are adversely affected by the denial of a visa way to an alien outside the United States may have the right to challenge the denial in certain circumstances).

<sup>&</sup>lt;sup>38</sup> See, e.g., Rajah v. Mukasey, 544 F.3d 427, 435-36 (2d Cir. 2008) (quoting an earlier decision to the effect that the "most exacting level of scrutiny that we will impose on immigration legislation is rational basis review"); Narenji v. Civiletti, 617 F.2d 745, 748 (D.C. Cir. 1980) ("[C]lassifications among aliens based upon nationality are consistent with due process and equal protection if supported by a rational basis....").

Date & President	Nature of the Exclusion
	misappropriation of Libyan state assets)
2016, Mar. 18 - Obama Executive Order 13722, 81 Fed. Reg. 14943	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who are determined to have engaged in certain transactions involving North Korea (e.g., selling or purchasing metal, graphite, coal, or software directly or indirectly to or from North Korea, or to persons acting for or on behalf of the North Korean government or the Workers' Party of Korea)
2015, Nov. 25 – Obama Executive Order 13712, 80 Fed. Reg. 73633	Suspending the entry into the United States, as immigrants or nonlmmigrants, of aliens who are determined to have "contributed to the situation in Burundi" in specified ways (e.g., engaging in "actions or policies that threaten the peace, security, or stability of Burundi," or "undermine democratic processes or institutions" in that country)
2015, Apr. 2 — Obama Executive Order 13694, 80 Fed. Reg. 18077 (later amended by Executive Order 13757, 82 Fed. Reg. 1 (Jan. 3, 2017))	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who are determined to have engaged in "significant malicious cyber-enabled activities" (e.g., harming or significantly compromising the provision of services by a computer or computer network that supports an entity in a critical infrastructure sector)
2015, Mar. 11 – Obama Executive Order 13692, 80 Fed. Reg. 12747	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who are determined to have "contributed to the situation in Venezuela" in specified ways (e.g., engaging in actions or policies that undermine democratic processes or institutions, significant acts of violence or conduct that constitutes a serious abuse or violation of human rights)
2015, Jan. 6 – Obama Executive Order 13687, 80 Fed. Reg. 819	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens with specified connections to North Korea (e.g., officials of the North Korean government or the Workers' Party of Korea)
2014, Dec. 24 – Obama Executive Order 13685, 79 Fed. Reg. 77357	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who are determined to have engaged in certain transactions involving the Crimea region of Ukraine (e.g., materially assisting, sponsoring, or providing financial, material, or technological support for, or goods or services to or in support of, persons whose property or interests are blocked pursuant to the order)
2014, May 15 - Obama Executive Order 13667, 79 Fed. Reg. 28387	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who are determined to have contributed to the conflict in the Central African Republic in specified ways (e.g., engaging in actions or policies that threaten the peace, security, or stability of that country, or that threaten transitional agreements or the political transition process)
2014, Apr. 7 – Obama Executive Order 13664, 79 Fed. Reg. 19283	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who are determined to have engaged in certain conduct as to South Sudan (e.g., actions or policies that "have the purpose or effect of expanding or extending the conflict" in that country, or obstructing reconciliation or peace talks or processes)
2014, Mar. 24 - Obama Executive Order 13662, 79 Fed. Reg. 16169	Suspending the entry into the United States, as immigrants or nonlmmigrants, of aliens who are determined to have contributed to the situation in Ukraine in specified ways (e.g., operating in the financial services, energy, metals and mining, engineering, or defense and related materiel sectors of the Russian Federation economy)
2014, Mar. 19 – Obama Executive Order 13661, 79 Fed. Reg. 15535	Suspending the entry into the United States, as Immigrants or nonimmigrants, of allens determined to have contributed to the situation in Ukraine in specified ways (e.g., officials of the government of the Russian Federation, or persons who operate in the arms or related materiel sector)
2014, Mar. 10 – Obama Executive Order 13660, 79 Fed.	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens determined to have contributed to the situation in Ukraine in specified ways (e.g., engagement in or responsibility for misappropriation of state assets of

Date & President	Nature of the Exclusion
Reg. 13493	Ukraine or of economically significant entities in that country)
2013, June 5 – Obama Executive Order 13645, 78 Fed. Reg. 33945	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who have engaged in certain conduct related to Iran (e.g., materially assisting, sponsoring, or providing support for, or goods or services to or in support of, any Iranian person included on the list of Specially Designated Nationals and Blocked Persons)
2012, Oct. 12 – Obama Executive Order 13628, 77 Fed. Reg. 62139	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who are determined to have engaged in certain actions involving Iran (e.g., knowingly transferring or facilitating the transfer of goods or technologies to Iran, to entitles organized under Iranian law or subject to Iranian jurisdiction, or to Iranian nationals, that are likely to be used by the Iranian government to commit serious human rights abuses against the Iranian people)
2012, July 13 – Obama Executive Order 13619, 77 Fed. Reg. 41243	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who are determined to threaten the peace, security, or stability of Burma in specified ways (e.g., participation in the commission of human rights abuses, or importing or exporting arms or related materiel to or from North Korea)
2012, May 3 — Obama Executive Order 13608, 77 Fed. Reg. 26409	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who are determined to have engaged in certain conduct as to Iran and Syria (e.g., facilitating deceptive transactions for or on behalf of any person subject to U.S. sanctions concerning Iran and Syria)
2012, Apr. 24 – Obama Executive Order 13606, 77 Fed. Reg. 24571	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens determined to have engaged in specified conduct involving "grave human rights abuses by the governments of Iran and Syria via information technology" (e.g., operating or directing the operation of communications technology that facilitates computer or network disruption, monitoring, or tracking that could assist or enable serious human rights abuses by or on behalf of these governments)
2011, Aug. 9 – Obama Proclamation 8697, 76 Fed. Reg. 49277	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who participate in serious human rights and humanitarian law violations and other abuses (e.g., planning, ordering, assisting, aiding and abetting, committing, or otherwise participating in "widespread or systemic violence against any civilian population" based, in whole or in part, on race, color, descent, sex, disability, language, religion, ethnicity, birth, political opinion, national origin, membership in a particular social group, membership in an indigenous group, or sexual orientation or gender identity)
2011, July 27 – Obama Proclamation 8693, 76 Fed. Reg. 44751	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens subject to U.N. Security Council travel bans and International Emergency Economic Powers Act sanctions
2009, Jan. 22 – Bush Proclamation 8342, 74 Fed. Reg. 4093	Suspending the entry into the United States, as immigrants or nonimmigrants, of foreign government officials responsible for failing to combat trafficking in persons
2007, July 3 - Bush Proclamation 8158, 72 Fed. Reg. 36587	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons responsible for policies or actions that threaten Lebanon's sovereignty and democracy (e.g., current or former Lebanese government officials and private persons who "deliberately undermine or harm Lebanon's sovereignty")
2006, May 16 – Bush Proclamation 8015, 71 Fed. Reg. 28541	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons responsible for policies or actions that threaten the transition to democracy in Belarus (e.g., Members of the government of Alyaksandr Lukashenka and other persons involved in policies or actions that "undermine or injure democratic institutions or impede the transition to democracy in Belarus")
2004, Jan. 14 – Bush Proclamation 7750, 69 Fed. Reg.	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons who have engaged in or benefitted from corruption in specified ways (e.g., current or former public officials whose solicitation or acceptance of articles of

Date & President	Nature of the Exclusion
2287	monetary value or other benefits has or had "serious adverse effects on the national interests of the United States")
2002, Feb. 26 – Bush Proclamation 7524, 67 Fed. Reg. 8857	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons responsible for actions that threaten Zimbabwe's democratic institutions and transition to a multi-party democracy (e.g., Senior members of the government of Robert Mugabe, persons who through their business dealings with Zimbabwe government officials derive significant financial benefit from policies that undermine or injure Zimbabwe's democratic institutions)
2001, June 29 - Bush Proclamation 7452, 66 Fed. Reg. 34775	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons responsible for actions that threaten international stabilization efforts in the Western Balkans, or are responsible for wartime atrocities in that region
2000, Oct. 13 – Clinton Proclamation 7359, 65 Fed. Reg. 60831	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who plan, engage in, or benefit from activities that support the Revolutionary United Front or otherwise impede the peace process in Sierra Leone
1999, Nov. 17 – Clinton Proclamation 7249, 64 Fed. Reg. 62561	Suspending the entry into the United States, as immigrants or nonimmigrants, of allens responsible for repression of the civilian population in Kosovo or policies that obstruct democracy in the Federal Republic of Yugoslavia (FRY) or otherwise lend support to the government of the FRY and the Republic of Serbia
1998, Jan. 16 – Clinton Proclamation 7062, 63 Fed. Reg. 2871	Suspending the entry into the United States, as immigrants or nonimmigrants, of members of the military junta in Sierra Leone and their family
1997, Dec. 16 – Clinton Proclamation 7060, 62 Fed. Reg. 65987	Suspending the entry into the United States, as immigrants or nonimmigrants, of senior officials of the National Union for the Total Independence of Angola (UNITA) and adult members of their immediate families
1996. Nov. 26 – Clinton Prodamation 6958, 61 Fed. Reg. 60007	Suspending the entry into the United States, as immigrants or nonimmigrants, of members of the government of Sudan, officials of that country, and members of the Sudanese armed forces
1996, Oct. 7 – Clinton Proclamation 6925, 61 Fed. Reg. 52233	Suspending the entry into the United States, as Immigrants or nonimmigrants, of persons who "formulate, implement, or benefit from policies that impede Burma's transition to democracy" and their immediate family members
1994, Oct. 27 – Clinton Proclamation 6749, 59 Fed. Reg. 54117	Suspending the entry into the United States, as immigrants or nonimmigrants, of certain aliens described in U.N. Security Council Resolution 942 (e.g., officers of the Bosnian Serb military and paramilitary forces and those acting on their behalf, or persons found to have provided financial, material, logistical, military, or other tangible support to Bosnian Serb forces in violation of relevant U.S. Security Council resolutions)
1994, Oct. 5 – Clinton Proclamation 6730, 59 Fed. Reg. 50683	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who formulate, implement, or benefit from policies that impede Liberia's transition to democracy and their immediate family
1994, May 10 – Clinton Proclamation 6685, 59 Fed. Reg. 24337	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens described in U.N. Security Council Resolution 917 (e.g., officers of the Haitian military, including the police, and their immediate families; major participants in the 1991 Haitian coup d'état)
1993, Dec. 14 – Clinton Proclamation 6636, 58 Fed. Reg. 65525	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who formulate, implement, or benefit from policies that impede Nigeria's transition to democracy and their immediate family
1993, June 23 – Clinton Proclamation 6574, 58 Fed. Reg.	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons who formulate or benefit from policies that impede Zaire's transition to democracy and their immediate family

Date & President	Nature of the Exclusion
34209	
1993, June 7 — Clinton Proclamation 6569, 58 Fed. Reg. 31897	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons who formulate, implement, or benefit from policies that impede the progress of negotiations to restore a constitutional government to Halti and their immediate family
1992, June 1 — Bush Executive Order 12807, 57 Fed. Reg. 23133	Making provisions to enforce the suspension of the entry of undocumented aliens by sea and the interdiction of any covered vessel carrying such aliens
1988, Oct. 26 – Reagan Proclamation 5887, 53 Fed. Reg. 43184	Suspending the entry of specified Nicaraguan nationals into the United States as nonimmigrants (e.g., officers of the Nicaraguan government or the Sandinista National Liberation Front holding diplomatic or official passports)
1988, June 14 – Reagan Proclamation 5829, 53 Fed. Reg. 22289	Suspending the entry into the United States, as immigrants or nonimmigrants, of certain Panamanian nationals who formulate or Implement the policies Manuel Antonio Noriega and Manuel Solis Palma, and their immediate families
1986, Aug. 26 – Reagan Proclamation 5517, 51 Fed. Reg. 30470	Suspending the entry of Cuban nationals as immigrants with certain specified exceptions (e.g., Cuban nationals applying for admission as immediate relatives under INA § 201(b))
1985, Oct. 10 – Reagan Proclamation 5377, 50 Fed. Reg. 41329	Suspending the entry of specified classes of Cuban nationals as nonimmigrants (e.g., officers or employees of the Cuban government or the Communist Party of Cuba holding diplomatic or official passports)
1981, Oct. 1 – Reagan Proclamation 4865, 46 Fed. Reg. 48107	Suspending the entry of undocumented aliens from the high seas, and directing the interdiction of certain vessels carrying such aliens

Source: Congressional Research Service, based on various sources cited in Table 1.

Note: In a number of cases, the exclusions listed in Table 1 were expressly said to be waivable, in the Executive's discretion, when the entry of a particular alien otherwise subject to exclusion "would not be contrary to the interests of the United States." See, e.g., 50 Fed. Reg. 41329, at § 2 (Oct. 10, 1985).

# Other Provisions of the INA

Beyond Section 212(f), other provisions of the INA can also be seen to authorize the Executive to restrict aliens' entry to the United States.<sup>39</sup> Most notably, Section 214(a)(1) prescribes that the "admission of any alien to the United States as a nonimmigrant shall be for such time and under such conditions as [the Executive] may by regulations prescribe."<sup>40</sup> (Nonimmigrants are aliens admitted to the United States for a specific period of time and purpose pursuant to one of the

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<sup>&</sup>lt;sup>39</sup> In addition, yet other provisions of the INA could be seen to give the Executive discretion as to whether certain categories of aliens are admitted. For example, Section 207(a)(2) of the INA could be seen to give the Executive broad discretion in determining how many aliens are admitted to the United States as refugees each year. See 8 U.S.C. § 1157(a)(2). Other provisions outside immigration law could also apply. See National Defense Authorization Act for FY2017, P.L. 114-328, §§ 1261-1265,—Stat.—(Dec. 23, 2016) (sanctions for human rights abusers); Consolidated Appropriations Act, P.L. 114-113, § 7031(c), 129 Stat. 2755 (Dec. 18, 2015) (providing that certain foreign officials involved in "significant corruption" and their immediate family are ineligible for entry to the United States); Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012, P.L. 112-208, §§ 404-406, 126 Stat. 1505-1509 (Dec. 14, 2012) (excluding certain aliens involved in human rights abuses).

"lettered" visas set forth in Section 101(a)(15) of the INA.<sup>41</sup>) Section 215(a)(1) similarly provides that "it shall be unlawful for any alien" to enter or depart the United States "except under such reasonable rules, regulations, and orders, and subject to such limitations and exceptions as the President may prescribe." In the past, the Executive has relied upon Section 215(a)(1), in particular, to exclude certain aliens. For example, President Carter cited to Section 215(a) when authorizing the revocation of immigrant and nonimmigrant visas issued to Iranians during the Iran Hostage Crisis. 43

The current Section 215(a) was enacted as part of the INA in 1952.<sup>44</sup> However, similar language appeared in earlier immigration-related statutes.<sup>45</sup> Both the earlier language and the initial version of Section 215(a) granted the President the power to impose additional restrictions upon aliens' entry into and departure from the United States during times of war and, in some cases, "national emergency."<sup>46</sup> The President's exclusion of certain aliens under this authority<sup>47</sup> was upheld in several court cases, the most notable of which was arguably the Supreme Court's 1950 decision in *United States* ex rel. *Knauff v. Shaughnessy.*<sup>48</sup> There, the Court rejected a challenge to the exclusion of a German "war bride" under regulations promulgated pursuant to Presidential Proclamation 2523, which was itself issued under the authority of a predecessor of Section 215(a).<sup>49</sup> In so doing, the Court rejected the excluded bride's argument that both the regulations and the underlying statute constituted an impermissible delegation of legislative power, reasoning that "[t]he exclusion of aliens is a fundamental act of sovereignty. The right to do so stems not

<sup>&</sup>lt;sup>41</sup> Id. § 1101(a)(15) (defining an "immigrant" to mean "every alien except an alien who is within one of the following classes of nonimmigrant aliens....") (emphasis added).

<sup>&</sup>lt;sup>42</sup> *ld*, § 1184(a)(1)

<sup>&</sup>lt;sup>43</sup> See Executive Order 12172, Delegation of Authority With Respect to Entry of Certain Aliens Into the United States, 44 Fed. Reg. 67947, 67947 (Nov. 28, 1979) (authorizing the Secretary of State and the Attorney General to exercise "in respect of Iranians holding nonimmigrant visas, the authority conferred upon the President by section 215(a)(1) of the Act of June 27, 1952 (8 USC 1185)....") (emphasis added); Executive Order 12206, Amendment of Delegation of Authority with Respect to Entry of Certain Aliens Into the United States," 45 Fed. Reg. 24101, 24201 (Apr. 7, 1980) (amending Executive Order 12172 to cover immigrant, as well as nonimmigrant visas). The exclusion addressed in Sale was also effectuated, in part, under the authority of Section 215(a). See supra note 19.

<sup>44</sup> See P.L. 82-414, § 212(e), 66 Stat. 190 (June 27, 1952).

<sup>&</sup>lt;sup>45</sup> See P.L. 65-164, 40 Stat. 559 (May 22, 1918) ("[W]hen the United States is at war, if the President shall find that public safety requires that restrictions and prohibitions ... be imposed upon the departure of persons from and their entry into the United States, and shall make public proclamation thereof, it shall, until otherwise ordered by the President or Congress, be unlawful [f]or any alien to depart from or enter or attempt to depart from or enter the United States except under such reasonable rules, regulations, and orders, and subject to such limitations and exceptions as the President shall prescribe."); P.L. 77-113, 55 Stat. 252 (June 20, 1941) (similar).

<sup>46</sup> See 66 Stat. 190 (war and national emergency); 55 Stat. 252 (war); 40 Stat. 559 (war).

<sup>&</sup>lt;sup>47</sup> See, e.g., Proclamation 3,004, Control of Persons Leaving or Entering the United States, 18 Fed. Reg. 489 (Jan. 17, 1953) (President Truman relying, in part, on a predecessor to Section 215(a) to impose restrictions on the entry of aliens into the Panama Canal Zone and American Samoa); Proclamation 2,850, 14 Fed. Reg. 5173 (Aug. 19, 1949) (President Truman relying, in part, on a predecessor to Section 215(a) in excluding aliens whose entry executive officials deem "would be prejudicial to the interests of the United States"); Proclamation 2,523, Control of Persons Entering and Leaving the United States, 6 Fed. Reg. 2617 (Nov. 18, 1941) (similar, President Roosevelt).

<sup>&</sup>lt;sup>48</sup> 338 U.S. 537 (1950). See also Shaughnessy v. United States ex rel. Mezei, 345 U.S. 206 (1953) (noting the President's power to exclude aliens in the course of finding that an alien who was so excluded, but whom no other country would accept, was not entitled to release into the United States). The Mezei Court, in particular, cited a number of precedents for the proposition that "the power to expel or exclude aliens [is] a fundamental sovereign attribute exercised by the Government's political departments largely immune from judicial control." 345 U.S. at 210 (citing Harisiades v. Shaughnessy, 342 U.S. 580 (1952); The Chinese Exclusion Case, 130 U.S. 581 (1889); and Fong Yue Ting v. United States, 149 U.S. 698 (1893)).

<sup>49</sup> Knauff, 338 U.S. at 540-42.

from legislative power but is inherent in the executive power to control the foreign affairs of the nation." Therefore, in the Court's view, Congress could not have run afoul of the non-delegation doctrine by authorizing the President to exercise this power "for the best interests of the country" during wartime because the President already possessed such authority. The *Knauff* Court similarly rejected the argument that the regulations in question were not "reasonable," as required by the statutory authority under which they were issued—which in relevant part, made it unlawful for an alien to enter the United States "except under such reasonable rules ... as the President may prescribe." The Court did so because it viewed the regulations excluding aliens whose entry was "deemed prejudicial to the public interest" as "reasonable in the circumstances of the period for which they were authorized, namely, the national emergency of World War II." \*\*S3\*\*

The statutory language regarding war and national emergency—which arguably factored into the Court's decision in *Knauff*—was deleted from Section 215(a) in 1978.<sup>54</sup> However, it seems unlikely that this deletion would serve as a basis for overruling the *Knauff* Court's conclusions about whether the power in question was impermissibly delegated to the Executive, <sup>55</sup> or about what constitutes a "reasonable" regulation for purposes of Section 215(a).<sup>56</sup> *Knauff's* statements about the inherent power of nations to exclude aliens outside the United States with no recognized ties to the country would also generally seem to remain good law.<sup>57</sup>

#### **Author Contact Information**

Kate M. Manuel Acting Section Research Manager kmanuel@crs.loc.gov, 7-4477

<sup>&</sup>lt;sup>50</sup> Id. at 542.

<sup>&</sup>lt;sup>51</sup> Id. at 542-43 ("[T]here is no question of inappropriate delegation of legislative power involved here."). The non-delegation doctrine precludes Congress from handing over its legislative powers to other branches of the federal government. However, Congress may "confer[] decisionmaking authority upon agencies, so long as it "lays down by legislative act an intelligible principle to which the person or body authorized to [act] is directed to conform." See Whitman v. Am. Trucking Ass'ns, 531 U.S. 457, 472 (2001) (internal quotations omitted).

<sup>52 338</sup> U.S. at 544.

<sup>&</sup>lt;sup>53</sup> ld.

<sup>54</sup> P.L. 95-426, § 707(a), 92 Stat. 992-93 (Oct. 7, 1978).

<sup>&</sup>lt;sup>55</sup> Cf. Cass R. Sunstein, Nondelegation Canons, 67 U. CHI. L. REV. 315, 315 (2000) ("Since 1935, the Supreme Court has not struck down an act of Congress on nondelegation grounds....").

<sup>&</sup>lt;sup>56</sup> There does not appear to be any court cases establishing what is meant by the term "reasonable regulations" for purposes of Section 215(a) and its predecessors. However, courts may grant considerable deference to the Executive's determinations in this area, given the "plenary power" that the political branches are generally seen to have over immigration. See, e.g., Mathews v. Diaz, 426 U.S. 67, 81 (1976) ("For reasons long recognized as valid, the responsibility for regulating the relationship between the United States and our alien visitors has been committed to the political branches of the Federal Government.").

<sup>&</sup>lt;sup>57</sup> See, e.g., Jean v. Nelson, 472 U.S. 847, 875 (1985) ("It is in the area of entry] that the Government's interest in protecting our sovereignty is at its strongest and that individual claims to constitutional entitlement are the least compelling."); Fiallo v. Bell, 430 U.S. 787, 792 (1977) (citing cases finding that the power to exclude is a "fundamental sovereign attribute"); Kleindeinst v. Mandel, 408 U.S. 753, 765 (similar) (1972). Certain limits to this power have, however, been recognized, particularly as to aliens with recognized ties to the United States or who would need to be detained in the United States to effectuate their exclusion. See, e.g., CRS Legal Sidebar WSLG1695, Supreme Court to Hear Challenge to Aliens' Detention Pending Removal Proceedings, by Kate M. Manuel.

### Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 11:05 AM

To:

Tynan, Natalie S; Rigdon, Jerry L; Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B;

Silwany, Oscar Y

Subject:

RE: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY

INTO THE UNITED STATES - Service Center Instructions

And here's what I've learned from RAIO: Asylum has notified field leadership that they should arrange to stop any decision-issuance to asylum applicants from the listed countries until they are instructed otherwise. They also told leadership to review their upcoming schedules and prepare to cancel any interviews for nationals from the listed countries. They were told not to actually begin cancelling the interviews until they received further guidance from HQ.

IO is working with front office on guidance for international staff and ongoing refugee interviews. We have greenlight for refugee interviews in Vienna to continue tomorrow

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 12:01:29 PM

**To:** Rigdon, Jerry L; Levine, Laurence D; Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Silwany, Oscar Y

**Subject:** RE: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES - Service Center Instructions

Thanks Jerry and Kathryn.

From: Rigdon, Jerry L

Sent: Sunday, January 29, 2017 11:58:25 AM

**To:** Levine, Laurence D; Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Silwany, Oscar Y

Subject: FW: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED

STATES - Service Center Instructions

Here is what Don sent.

Jerry Rigdon
Deputy Chief, Regulatory Coordination Division

Office of Policy and Strategy
USCIS Headquarters

(b)(6)

From: Neufeld, Donald W

Sent: Saturday, January 28, 2017 11:34:34 AM

**To:** Baran, Kathy A; Campagnolo, Donna P; Crandall, Kristine R; Hazuda, Mark J; McCament, James W; Nolan, Connie L; Richardson, Gregory A; Selby, Cara M (Carrie); Thompson, Kirt; Velarde, Barbara Q; Zuchowski, Laura B; Tamanaha, Emisa T

Cc: Arroyo, Susan K; Bacote, Robert R (Bob); Byrne, Marie L (Louise); Cox, Sophia; Dougherty, Linda M; Douglas, Richard C; Doumani, Stephanie M; Fortes, Michael J; Hartmann, Rosemary M; Hope, Leslie K; Hutchings, Pamela G; Kane, Daniel J; King, Alexander R; La Bella, Magteld H; McCament, James W; McConnell, James E; Moran, Karla; Neufeld, Donald W; Padilla, April Y; Peck, Denis R; Sabga, George M; Thomas, Ronnie D; Watson, Dorcas B (Benita)
Subject: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES - Service Center Instructions

Center Directors and Deputies,

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry immigrants and nonimmigrants who are from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

While we await further guidance, we must temporarily suspend adjudication of all applications, petitions or requests involving citizens or nationals of the listed countries. At this point there are no exceptions for any form types, to include I-90s or I-765s. Please physically segregate any files that are impacted by this temporary hold pending further guidance. As you would expect, we will be developing a weekly report format for you to identify the number and types of cases on hold.

We expect to issue more detailed guidance and procedures in the coming days.

Please ensure this guidance is conveyed as soon as possible to all appropriate employees and get back to us with any questions. Also, please reply to let me know each center has received this message.

Thanks,

Don

#### Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 10:26 AM

To:

Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee,

Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L;

Silwany, Oscar Y

Subject:

RE: Executive Order

Just asked - I'll keep you posted

Larry Levine **Acting Chief** Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 11:19:35 AM

To: Anderson, Kathryn E; Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

I have not seen anything, although Don Neufeld alluded to guidance that he could send out sometime today. Larry, could you check with Don?

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Anderson, Kathryn E

**Sent:** Sunday, January 29, 2017 10:48 AM

To: Levine, Laurence D; Phillips, Mark; Tyrian, Natalie S; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

I saw that FOD sent out guidance to the field yesterday indicating that no final action can be taken on any petition or application for a citizen or national of one of the 7 countries, pending further guidance to come. Processing and interviewing can continue, but the case is to be placed on hold before a final decision is made. NPR seems to have picked up on this and reported it. I'm not sure whether SCOPS has issued any guidance. Has anyone seen?

From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge,——— Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Phillips, Mark

Sent: Sunday, January 29, 2017 9:25:20 AM

**To:** Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 8:58:25 AM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

From: Anderson, Kathryn E Sent: Sunday, January 29, 2017 7:51:47 AM To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beverldge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order
I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:
(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.
Kathryn
Kathryn Anderson

(**b**)(**6**)

Acting Chief, International and Humanitarian Affairs Division

Office of Policy and Strategy, U.S. Citizenship and Immigration Services Department of Homeland Security

From: Cummings, Kevin J.

**Sent:** Sunday, January 29, 2017 6:30 AM

To: Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

To: Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine **Acting Chief** Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L.

Sent: Saturday, January 28, 2017 11:18:11 PM

To: Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS. Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beverldge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar\_Y;\_Tynan, Natalie-S---

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shunnon E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

This email and any attachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?

5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna Ruppel	
Chief, International Operations D	ivision
U.S. Citizenship and Immigration	Services
	(b))(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	<b>(b)</b> )(5)
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM	
To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	•
It is my understanding that POTUS will sign the "Protecting the National today at 4:30pm. In complying with the EA I believe we need immedially suspension of processing immigrants and non-immigrants from extends to processing of permanent resident applications. Though the United States", once we grant an adjustment we "admit" the	tiate clarification in Section 3 (c) relative to the 30 the designated countries of interest and if this (b)(5) the EA states "immigrant and non-immigrant entry
our product lines. If this is the case then Don and Dan will need to g	We just need to clarify if by extension this applies to
on hold. Other than the refugee suspension that appears fully deplo clarification we need relative to the EAs.	- · · · · · · · · · · · · · · · · · · ·
Thanks,	
Andrew Davidson	
Acting Deputy Associate Director Fraud Detection and National Security Directorate	
U.S. Citizenship and Immigration Services	
U.S. Department of Homeland Security 111 Massachusetts Avenue, NW	
Washington, DC 20529	
( <b>b</b> ))(6)	

From:

Levine, Laurence D

Sent:

Friday, February 03, 2017 11:00 AM

To:

Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

FW: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist

Entry into the United States

Do we have a nominee for this WG from OP&S – not sure which Division is best suited for it, so please share any responses with the entire chain here.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b))(6)

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Valverde, Michael

Sent: Friday, February 03, 2017 11:57 AM

To: Farnam, Julie E; Button, Maria G (Gemma); Hatchett, Dolline L; Patching, Laura D; Levine, Laurence D; Rosenberg, Ronald M (Ron); Lafferty, John L; Strack, Barbara L; Ruppel, Joanna; McCament, James W; Neufeld, Donald W; Alfonso, Angelica M; Melero, Mariela; Groom, Molly M; Busch, Philip B; Meckley, Tammy M; Davidson, Andrew J; Renaud, Daniel M; Symons, Craig M; Kovarik, Kathy N; Risch, Carl C; Rather, Michael B; Hamilton, Cristina A; Tynan, Natalie S; Nlmlck, Charles L (Locky); Dumas, Jessica L; Campagnolo, Donna P; Cox, Sophia; Hinds, Ian G; Zengotitabengoa, Colleen R; Rogers, Debra A; Herrmann, Mary K; Martin, Heather A; Nicholson, Maura J; Kim, Ted H; Stone, Mary M; Carter, Constance L; Kerns, Kevin J; Borgen, Michael R; Emrich, Matthew D; Moran, Karla; Kovarik Nuebel, Kathy Cc: Duggan, Steven; Walters, Jessica S; Young, Todd P; Swanson, Toni; Renaud, Tracy L; Scialabba, Lori L Subject: RE: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

#### Everyone—

As Julie mentions below, FOD was designated to co-lead with FDNS the Interview portion of Section 4 (a) Implementing Uniform Screening Standards for All Immigration Programs. The relevant interview portions of Section 4(a) are as follows:

- 1. The development of a uniform screening standard and procedure, such as in-person interviews;
- 2. A mechanism to ensure that the applicant is who the applicant claims to be;
- 3. A process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest;

- 4. Amended application forms that include questions aimed at identifying fraudulent answers and malicious intent: and
- 5. A mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.

I know a lot of work has been done already in various manners that impacts this goal and can be utilized for this task. We would like to convene the process for articulating how the interview process has been and/or can be enhanced (best practices, new policies, new tools/systems, resources, and/or additional questions) to ensure we are using our interviews in the best way to inform our eligibility, credibility and national security/public safety determinations.

Lisette Kvortek will serve as the FOD working group coordinator and will work with the FDNS POC to organize the work. I'd ask that folks self-identify as a responsible party and name a POC representing your office. Since work is due on the 17<sup>th</sup>, we'd like to get started asap.

Thank you.

From: Farnam, Julie E

**Sent:** Friday, February 03, 2017 11:20 AM

To: Button, Maria G (Gemma); Hatchett, Dolline L; Patching, Laura D; Levine, Laurence D; Rosenberg, Ronald M (Ron); Lafferty, John L; Strack, Barbara L; Ruppel, Joanna; McCament, James W; Neufeld, Donald W; Alfonso, Angelica M; Melero, Mariela; Groom, Molly M; Busch, Philip B; Meckley, Tammy M; Davidson, Andrew J; Valverde, Michael; Renaud, Daniel M; Symons, Craig M; Kovarik, Kathy N; Risch, Carl C; Rather, Michael B; Hamilton, Cristina A; Tynan, Natalie S; Nimick, Charles L (Locky); Dumas, Jessica L; Campagnolo, Donna P; Cox, Sophia; Hinds, Ian G; Zengotitabengoa, Colleen R; Rogers, Debra A; Herrmann, Mary K; Martin, Heather A; Nicholson, Maura J; Kim, Ted H; Stone, Mary M; Carter, Constance L; Kerns, Kevin J; Borgen, Michael R; Emrich, Matthew D; Moran, Karla; Kovarik Nuebel, Kathy Cc: Duggan, Steven; Walters, Jessica S; Young, Todd P; Swanson, Toni; Renaud, Tracy L; Scialabba, Lori L Subject: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

#### Good morning,

Thank you for your work on the deliverables already completed. I appreciate everyone's timely responses.

The next big deliverable we have is in regards to Sec. 4a and 4b of the Protecting the Nation from Foreign Terrorist Entry EO. Proposals related to the items below are <u>due to me by COB Friday</u>, <u>February 17, 2017</u>. FDNS has the overall lead on this deliverable, but there will also be several working groups that may be co-coordinated by other directorates with FDNS. Here is the specific language from the EO:

"This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States."

Because there are a lot of pieces to this section and because the pieces affect different directorates, we will likely need a few working groups to tackle this one. As discussed at the meeting yesterday, these are the proposed working groups:

- Interviews (FOD to co-lead)
- Identity Document Database

- Identity verification
- Form revisions (OP&S proposal attached)
- Immigrant integration (OoC to co-lead)

As of now DHS has not provided a template or format for the proposals (and I'm told one will not be coming this week). Should I receive a template, I will pass it along, but I think for now we can proceed with just writing up the proposal.

The deliverables tracker has been updated on the ECN and now includes all the items and target completion dates that were provided in the DHS Implementation Plan. To summarize some of the upcoming deliverables (Foreign Terrorist Entry EO deliverables should go to me. Steve Duggan is the POC on the Border Security and Enhancing Public Safety in the Interior EOs):

Report on implementing section 4a	Protecting the Nation from Foreign Terrorist Entry	4b	осс	FDN:
Uniform screening standards	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	
Development of a document database	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	OIT
Interviews	Protecting the Nation from Foreign Terrorist Entry	4a	FOD	FDNS
Form revisions	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	OP&
Identity verification tool	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	
Immigrant integration	Protecting the Nation from Foreign Terrorist Entry	4a	O <sub>0</sub> C	FDNS
Issue guidance to asylum officers outlining changes to CR/RF screening	Border Security and Immigration Enforcement Improvements	11	RAIO	
Review of asylum referrals/credible fear determinations	Border Security and Immigration Enforcement Improvements	11b	RAIO	occ
Staffing needs to assign asylum offices to detention/other DHS facilities	Border Security and Immigration Enforcement Improvements	5b	RAIO	
Budgetary/Staffing Needs	All EOs		MGMT	
Plan related to FY17 refugee entries	Protecting the Nation from Foreign Terrorist Entry	5d	RAIO	
Priority locations for asylum officers at detention facilities	Border Security and Immigration Enforcement Improvements	5b	RAIO	
Operations plan related to minority religions and religious-based persecution	Protecting the Nation from Foreign Terrorist Entry	5b	RAIO	t

Thank you again and if there are any follow-up questions, please let me or Steve know.

Julie Farnam Senior Advisor Field Operations Directorate U.S. Citizenship and Immigration Services



This communication, along with any attachments, may contain confidential information and is covered by federal laws governing electronic communications. Electronic communications may also be monitored by the Department of Homeland Security, U.S. Citizenship and Immigration Services. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you have received this in error, please delete this message and all attachments and immediately notify the sender.

From:

Rigdon, Jerry L

Sent:

Sunday, January 29, 2017 10:58 AM

To:

Levine, Laurence D; Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather,

Michael B; Silwany, Oscar Y

Subject:

FW: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY

INTO THE UNITED STATES - Service Center Instructions

Here is what Don sent.

Jerry Rigdon
Deputy Chief, Regulatory Coordination Division
Office of Policy and Strategy
USCIS Headquarters

(b)(6)

From: Neufeld, Donald W

Sent: Saturday, January 28, 2017 11:34:34 AM

**To:** Baran, Kathy A; Campagnolo, Donna P; Crandall, Kristine R; Hazuda, Mark J; McCament, James W; Nolan, Connie L; Richardson, Gregory A; Selby, Cara M (Carrie); Thompson, Kirt; Velarde, Barbara Q; Zuchowski, Laura B; Tamanaha, Emisa T

Cc: Arroyo, Susan K; Bacote, Robert R (Bob); Byrne, Marie L (Louise); Cox, Sophia; Dougherty, Linda M; Douglas, Richard C; Doumani, Stephanie M; Fortes, Michael J; Hartmann, Rosemary M; Hope, Leslie K; Hutchings, Pamela G; Kane, Daniel J; King, Alexander R; La Bella, Magteld H; McCament, James W; McConnell, James E; Moran, Karla; Neufeld, Donald W; Padilla, April Y; Peck, Denis R; Sabga, George M; Thomas, Ronnie D; Watson, Dorcas B (Benita)
Subject: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES - Service Center Instructions

Center Directors and Deputies,

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry immigrants and nonimmigrants who are from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

While we await further guidance, we must temporarily suspend adjudication of all applications, petitions or requests involving citizens or nationals of the listed countries. At this point there are no exceptions for any form types, to include I-90s or I-765s. Please physically segregate any files that are impacted by this temporary hold pending further guidance. As you would expect, we will be developing a weekly report format for you to identify the number and types of cases on hold.

We expect to issue more detailed guidance and procedures in the coming days.

Please ensure this guidance is conveyed as soon as possible to all appropriate employees and get back to us with any questions. Also, please reply to let me know each center has received this message.

Thanks,

Don

From:

Levine, Laurence D

Sent:

Saturday, January 28, 2017 7:28 PM

To:

Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

FW: Executive Order

Attachments:

Executive Order PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO

THE UNITED STATES - 01272017.docx

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine Acting Chief

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

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Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

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I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Sluttery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

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For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

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- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?

5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

**Subject:** RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud Acting Deputy Director US Citizenship & Immigration Services Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services
(b)((€

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L.

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

**Subject:** RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order  FYI. I think Andrew might be right in terms of what is mean	( <b>b</b> ))(5)
The Committee magnetic de right with the committee of the	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	•
It is my understanding that POTUS will sign the "Protecting today at 4:30pm. In complying with the EA I believe we need day suspension of processing immigrants and non-immigrate extends to processing of permanent resident applications. To into the United States", once we grant an adjustment we "a	nts from the designated countries of interest and if this hough the EA states "immigrant and non-immigrant entry"
	We just need to clarify if by extension this applies to
our product lines. If this is the case then Don and Dan will no on hold. Other than the refugee suspension that appears ful clarification we need relative to the EAs.	
Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington. DC 20529	:
( <b>b</b> )(6)	

#### Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

POLICY: It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

#### **GENERAL OBJECTIVES:**

- Be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.
- Ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles
- We cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law
- We should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation

Date conversions	
Days from order	Date
30	2/26
60	3/28
90	4/27
100	5/7
120	5/27
180	7/26
200	8/15

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments				
Section 3	Section 3: Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern									
3a	DHS	Review	Determine information	Immediate						
			needed from any country to							
	In consultation with		adjudicate any visa, admission							
	DOS/DNI		or benefit under the INA in			1				
			order to determine that the							
			individual seeking the benefit							
			is who the individual claims to			}				
			be and is not a security or	1						
			public safety threat.							

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
3b	DHS	Report	Information identified in review under 3a	30 days from Jan 27	Report to President Copy to DOS/DNI	
3c	DHS/DOS	Suspend	Admission of immigrants and nonimmigrants from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya	For 90 days from Jan 27	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	<ol> <li>Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130,?</li> <li>Should we deschedule oath ceremonies for individuals from the 7?</li> <li>How do we handle N-400s 120+ days from interview?</li> <li>Should we stop RFEs?</li> <li>Should we stop scheduling interviews?</li> <li>What about change of status from other NIV categories to NATO visas, C-2 travel visas (UN) andG-1, G-2, G-3, and G-4 visas?</li> <li>What about change of status for NIVs for these countries?</li> </ol>
3d	DOS	Request	Secretary shall request all foreign governments that do not supply information identified in 3a review to provide such information.	Immediately following report in 3b	Foreign governments will be given 60 days to begin providing information	
3e	DHS In consultation with DOS	Recommendation	Recommend countries whose foreign nationals would be prohibited entry to the United States due to the country's failure to provide information requested by the U.S. as described in 3d	After 60 day period outlined in 3d	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	
3g*					*Exception:  DHS and DOS may on a case- by-case and when in national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.	
3f	DHS or DOS	Recommendation	Add countries to list of those whose nationals are prohibited from entering the U.S. due to failure to provide information as requested by the U.S. (3d)	After submission of List Indefinite		
3h	DHS and DOS	Joint Report	Report progress implementing Order	30 days 60 days		

Section	Actor(s)	, Action	Purpose	Timeline	Notes	Questions/Comments
			<u>-</u>	90 days		
				120 days		
				From Jan 27		,
Section 4	: Implementing Uni	form Screening Stand	ards for All Immigrant Prog	rams 🛴 🗽 🖔	A CAMPAGE AND A PERSON OF THE	
4a	DHS/DOS/DNI/FBI	Implement Program	<ul> <li>To identify individuals</li> </ul>	Initial progress		Do we need to take any actions prior to
		as part of	seeking to enter US on a	report due within		the "plan" described in section four being
		adjudications process	fraudulent basis with intent	60 days of Jan 27		developed and implemented?
		to include	to cause harm, or who are			2. Who is responsible for developing the
		development of:	at risk of causing harm			plan?
			subsequent to admission.			3. Might this functionality [database to
						collect identity documents] already exist and be implemented?
		<ul> <li>Uniform screening</li> </ul>				4. Would these [amended application forms]
		standard and		•		be internal worksheets and not OMB
		procedure, such as				cleared changes to existing forms?
		interviews				5. [Regarding mechanism to ensure
						applicant's claimed identity] Beyond
		<ul> <li>Database</li> </ul>	Capture identity			existing measures/capabilities? Enhanced
			documents proffered by			data share?
			applicants and prevent			
			duplicate documents from	•		
			being used by multiple	·		
			applicants			· · · · · ·
		Amended	To add questions aimed at			1
		Application Forms	identifying fraudulent			,
			answers and malicious			
			intent			
		Mechanism	To ensure applicant is who			
			the applicant claims to be			•
		<ul> <li>Process</li> </ul>	To evaluate the applicant's			
			likelihood of becoming a			
			positively contributing			
1			member of society and the			
			applicant's ability to make			
}			contributions to the			
			national interest			
			,			
			TaraganaLashaa a>			
		Mechanism	To assess whether or not			
			the applicant has the intent			
			to commit criminal or	1		
			terrorist acts after entering			
	<u> </u>	<u>L</u>	the U.S.	<u> </u>	L	<u> </u>

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
4b	DHS/DOS/DNI/FBI	Report	Report progress of initiatives under 4a	Within 60 days, 100 days, 200 days of Jan 27	Report to President	
Sec. 5. Re	alignment of the U.S.	Refug <del>ee</del> Admissions Pr	ogram for Fiscal Year 2017.			
5a	DOS	Suspend the USRAP program		For 120 days from Jan 27		
5a	DOS In consultation with DHS/DNI	. Review	Review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States	Within 120 days of Jan 27		,
5a	In consultation with DHS/DNS	Implement	Implement procedures identified during review	Within 120 days of Jan 27	Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures.	
5a	DOS	Resume USRAP		120 days after order	Limited to nationals of countries for which the DHS/DOS/DNI have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States	
5b	DOS In consultation with DHS	Prioritize Refugee Claims	Prioritize claims made by individuals on the basis of religious-based persecution.		Individual's religion must be a minority religion in the individual's country of nationality.	
5b	DOS/DHS	Recommend Legislation	To support prioritization of refugee claims as noted immediately above.			
5e Exception	President	Suspend admission of Syrian refugees	<del></del>	Until the president determines sufficient changes have been made to USRAP to ensure admission of Syrian Refugees is consistent with the national interest.	Exception: DHS/DOS have discretion to jointly determine to admit individuals to the United States as refugees on a case-by-case basis only so long as they determine that the admission of such individuals as refugees is in the national interest – including when the person is a religious minority in his country of nationality	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
					facing religious persecution,	
					when admitting the person	
		1			would enable the United	
		1			States to conform its conduct	
		1			to a preexisting international	,
				;	agreement, or when the	
					person is already in transit	
					and denying admission would	
					cause undue hardship — and it	
					would not pose a risk to the	
					security or welfare of the	
				ļ.	United States.	
5d	President	Limit refugee		Until such time as		
		admissions to 50,000		the president		
		in FY 2017		determines that		
				additional		
				admissions would		
				be in the national		
		\ <u>-</u>	E 5 1 55 1 7	interest		
5f	DOS	Report	Progress of prioritization of	Within 100 days		
			claims under 5(b)	and		
	1			200 days of Jan 27		
5g	DHS	Determine based on	Extent to which state and			
		existing law	local jurisdictions may have			
			greater involvement in the			
			process of determining the			
			placement or resettlement of			
F	DUC.		refugees in their jurisdictions			
5g	DHS	Propose	Plan to involve state/local			
			jurisdictions in refugee			
Son & D	occiesion of Everaies of	Authority Doloting to t	resettlement process the Terrorism Grounds of Inac	  mlecibility		
		<del> </del>		<del></del>	1	k 01 11 12 12 1770
6a	DOS/DHS	Review and consider	Authorities under INA 212 (8	Undefined		Should we adjudicate cases in TRIG
	La company of the	rescinding	USC 1182) relating to TRIG			hold? It doesn't seem like exemptions are forthcoming
	In consultation with		and related memoranda			lorukonning
Sec. 7. E)	rpedited Completion of	the Biometric Entry-E	xit Tracking System.		<u> </u>	. —.
7a	DHS	Expedite completion	<u> </u>		Recommended by the	
		and implementation			National Commission on	
	1.	of a biometric entry-			Terrorist Attacks Upon the	
	1	1	Ī		· ·	
	İ	exit tracking system			United States	ì
		exit tracking system for all travelers to the			Ounted States	
		for all travelers to the			United States	
7b	DHS	I .	Progress on directive in 7a	Within 100 days	Outeo states	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
				days of Jan 27 and		
				every 180 days		
				thereafter until		
				the system is fully deployed and		
				operational.		
Sec. 8. Vis	a Interview Security.	DOS				
8a	DOS	Suspend	Visa Interview Waiver	Immediately	Require in-person interview	·
			Program		for all individuals seeking a	
}		}			NIV, subject to statutory	
01.	200		Consulta Falloura Decembra		exceptions	1
8b	DOS	Expand	Consular Fellows Program		To extent permitted by law and by available	
					appropriations: substantially	
					increase the number of	
	ŀ	[			fellows; lengthening or	
					making the period of service	
Ì					permanent; make language	
					services (FSI) available to	
L					expand post options	
Sec. 9. Vis	a Validity Reciprocity		<u> </u>			
	DOS	Review and align	To the extent practicable,		As applies to validity period	
			ensure visa reciprocity		and fees, as required by	
			agreements for each visa		sections 221(c) and 281 of the	
			classification are truly		INA, 8 U.S.C. 1201(c) and	
			reciprocal. If not reciprocal,		1351, and other treatment	
			adjust the visa validity period,			
			fee schedule, or other treatment to match the			
			treatment of United States			
			nationals by the foreign			
		}	country.			
			Country			
Sec. 10. T	Sec. 10. Transparency and Data Collection					
10a	DHS	Collect and Publish	Number of foreign nationals	Within 180 days	Data since the date of this	
		Information	in the United States who have	and every 180	order or the last reporting	
	In consultation with		been:	days thereafter	period, whichever is later	
	Attorney General		<ul> <li>charged with terrorism-</li> </ul>			
			related offenses while in the			
			United States;			
			convicted of terrorism- related offenses while in the			
			United States;			
			<ul> <li>removed from the United</li> </ul>	}		
			States based on terrorism-			
	L	<u></u>	arearea peace ou remonant.		<u> </u>	<u> </u>

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
			related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons  radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States  information regarding the number and types of acts of gender-based violence against women, including honor killings,  any other information relevant to public safety and security, including information on the immigration status of foreign nationals charged with			
11b	DOS	Report	major offenses  Estimated long term costs of	Within one year		
***	,503	перин	USRAP at Federal, State and	of Jan 27		
			Local levels			

From:

Tynan, Natalie S

Sent:

Friday, January 27, 2017 7:06 PM

To:

Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A;

Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Cc:

Levine, Laurence D; Rather, Michael B

**Subject:** 

FW: Two Questions

Attachments:

2017 protecting the Nation from Terror is tEntry into the United States. eo. rel. docx

Hi All – attached is the executive order signed early this evening by the President. Please let me, Mike and Larry know if any questions or immediate impacts to policy come to mind. Next week, we may want to consider pulling relevant policy guidance and start thinking about new guidance that will have to be issued. Hopefully we will have more information.

In the meantime, please send any questions!

Thanks, Natalie

Here is a quick summary (please read the entire document – I tried to hit the "highlights"):

- 1. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. There are review and reporting requirements that shall be completed within 30 days and additional follow up reporting requirements. While the review is conducted, the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), is suspended for 90 days. The Secretary shall provide a list of countries that do not provided necessary information to adjudicate and additional countries may be added. Visas may be issued to nationals of "blocked" countries in the national interest.
- 2. Implementing Uniform Screening Standards for All Immigration Programs A program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission will be created and will include development of a uniform screening standard and procedure; a database of identity documents proffered by applicants; amended application forms with questions aimed at identifying fraudulent answers and malicious intent; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
- 3. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. Suspension of the U.S. Refugee Admissions Program (USRAP) for 120 days for review of the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for

refugee admission do not pose a threat to the security and welfare of the United States. After 120 days, USRAP admissions resume for nationals of countries for which have been determined that such additional procedures are adequate to ensure the security and welfare of the United States. Refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality will be prioritized. Admission of refugees from Syria will be suspended. The refugee limit will be 50,000 for fiscal year 2017.

- 4. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.
- 5. Expedited Completion of the Biometric Entry-Exit Tracking System.
- 6. Visa Interview Security. The visa interview waiver program is suspended to ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.
- 7. <u>Visa Validity Reciprocity</u>. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal.

Natalie S. Tynan	
Senior Advisor	
USCIS, Office of Policy & Strategy	•
20 Massachusetts Ave.	
Washington, DC	
	. (
	( <b>b</b> )( <b>6</b> )

# THE WHITE HOUSE Office of the Press Secretary

For Immediate Release

January 27, 2017

#### EXECUTIVE ORDER

## PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Immigration and Nationality Act (INA), 8 U.S.C. 1101 et seq., and section 301 of title 3, United States Code, and to protect the American people from terrorist attacks by foreign nationals admitted to the United States, it is hereby ordered as follows:

Section 1. Purpose. The visa-issuance process plays a crucial role in detecting individuals with terrorist ties and stopping them from entering the United States. Perhaps in no instance was that more apparent than the terrorist attacks of September 11, 2001, when State Department policy prevented consular officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder nearly 3,000 Americans. And while the visa-issuance process was reviewed and amended after the September 11 attacks to better detect would-be terrorists from receiving visas, these measures did not stop attacks by foreign nationals who were admitted to the United States.

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visaissuance process to ensure that those approved for admission

do not intend to harm Americans and that they have no ties to terrorism.

In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law. In addition, the United States should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation.

- Sec. 2. Policy. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.
  - Sec. 3. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. (a) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall immediately conduct a review to determine the information needed from any country to adjudicate any visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public-safety threat.
  - (b) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the President a report on the results of the review described in subsection (a) of this section, including the Secretary of Homeland Security's determination of the information needed for adjudications and a list of countries that do not provide adequate information, within 30 days of the date of this order. The Secretary of Homeland Security shall provide a copy of the report to the Secretary of State and the Director of National Intelligence.
  - (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in

subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

- (d) Immediately upon receipt of the report described in subsection (b) of this section regarding the information needed for adjudications, the Secretary of State shall request all foreign governments that do not supply such information to start providing such information regarding their nationals within 60 days of notification.
- (e) After the 60-day period described in subsection (d) of this section expires, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the President a list of countries recommended for inclusion on a Presidential proclamation that would prohibit the entry of foreign nationals (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas) from countries that do not provide the information requested pursuant to subsection (d) of this section until compliance occurs.
- (f) At any point after submitting the list described in subsection (e) of this section, the Secretary of State or the Secretary of Homeland Security may submit to the President the names of any additional countries recommended for similar treatment.
- (g) Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration

benefits to nationals of countries for which visas and benefits are otherwise blocked.

- (h) The Secretaries of State and Homeland Security shall submit to the President a joint report on the progress in implementing this order within 30 days of the date of this order, a second report within 60 days of the date of this order, a third report within 90 days of the date of this order, and a fourth report within 120 days of the date of this order.
- Sec. 4. Implementing Uniform Screening Standards for All Immigration Programs. (a) The Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation shall implement a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission. This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
- (b) The Secretary of Homeland Security, in conjunction with the Secretary of State, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall submit to the President an initial report on the progress of this directive within 60 days of the date of this order, a second report within 100 days of the date of this order, and a third report within 200 days of the date of this order.
- Sec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. (a) The Secretary of State shall suspend the U.S. Refugee Admissions Program (USRAP) for 120 days. During the 120-day period, the Secretary of State, in

conjunction with the Secretary of Homeland Security and in consultation with the Director of National Intelligence, shall review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States, and shall implement such additional procedures. Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures. Upon the date that is 120 days after the date of this order, the Secretary of State shall resume USRAP admissions only for nationals of countries for which the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States.

- (b) Upon the resumption of USRAP admissions, the Secretary of State, in consultation with the Secretary of Homeland Security, is further directed to make changes, to the extent permitted by law, to prioritize refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality. Where necessary and appropriate, the Secretaries of State and Homeland Security shall recommend legislation to the President that would assist with such prioritization.
- (c) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of nationals of Syria as refugees is detrimental to the interests of the United States and thus suspend any such entry until such time as I have determined that sufficient changes have been made to the USRAP to ensure that admission of Syrian refugees is consistent with the national interest.
- (d) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of more than 50,000 refugees in fiscal year 2017 would be detrimental to the interests of the United States, and thus suspend any such entry until such time as I determine that additional admissions would be in the national interest.
- (e) Notwithstanding the temporary suspension imposed pursuant to subsection (a) of this section, the Secretaries of

State and Homeland Security may jointly determine to admit individuals to the United States as refugees on a case-by-case basis, in their discretion, but only so long as they determine that the admission of such individuals as refugees is in the national interest -- including when the person is a religious minority in his country of nationality facing religious persecution, when admitting the person would enable the United States to conform its conduct to a preexisting international agreement, or when the person is already in transit and denying admission would cause undue hardship -- and it would not pose a risk to the security or welfare of the United States.

- (f) The Secretary of State shall submit to the President an initial report on the progress of the directive in subsection (b) of this section regarding prioritization of claims made by individuals on the basis of religious-based persecution within 100 days of the date of this order and shall submit a second report within 200 days of the date of this order.
- (g) It is the policy of the executive branch that, to the extent permitted by law and as practicable, State and local jurisdictions be granted a role in the process of determining the placement or settlement in their jurisdictions of aliens eligible to be admitted to the United States as refugees. To that end, the Secretary of Homeland Security shall examine existing law to determine the extent to which, consistent with applicable law, State and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions, and shall devise a proposal to lawfully promote such involvement.
- Sec. 6. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.
- Sec. 7. Expedited Completion of the Biometric Entry-Exit Tracking System. (a) The Secretary of Homeland Security shall expedite the completion and implementation of a biometric entry-exit tracking system for all travelers to the United States, as recommended by the National Commission on Terrorist Attacks Upon the United States.

- (b) The Secretary of Homeland Security shall submit to the President periodic reports on the progress of the directive contained in subsection (a) of this section. The initial report shall be submitted within 100 days of the date of this order, a second report shall be submitted within 200 days of the date of this order, and a third report shall be submitted within 365 days of the date of this order. Further, the Secretary shall submit a report every 180 days thereafter until the system is fully deployed and operational.
- Sec. 8. Visa Interview Security. (a) The Secretary of State shall immediately suspend the Visa Interview Waiver Program and ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.
- (b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic ability, to ensure that non-immigrant visa-interview wait times are not unduly affected.
- Sec. 9. Visa Validity Reciprocity. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal insofar as practicable with respect to validity period and fees, as required by sections 221(c) and 281 of the INA, 8 U.S.C. 1201(c) and 1351, and other treatment. If a country does not treat United States nationals seeking nonimmigrant visas in a reciprocal manner, the Secretary of State shall adjust the visa validity period, fee schedule, or other treatment to match the treatment of United States nationals by the foreign country, to the extent practicable.
- Sec. 10. Transparency and Data Collection. (a) To be more transparent with the American people, and to more effectively implement policies and practices that serve the national interest, the Secretary of Homeland Security, in consultation with the Attorney General, shall, consistent with

applicable law and national security, collect and make publicly available within 180 days, and every 180 days thereafter:

- (i) information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons since the date of this order or the last reporting period, whichever is later;
- (ii) information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States, since the date of this order or the last reporting period, whichever is later; and
- (iii) information regarding the number and types of acts of gender-based violence against women, including honor killings, in the United States by foreign nationals, since the date of this order or the last reporting period, whichever is later; and
- (iv) any other information relevant to public safety and security as determined by the Secretary of Homeland Security and the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.
- (b) The Secretary of State shall, within one year of the date of this order, provide a report on the estimated long-term costs of the USRAP at the Federal, State, and local levels.
- Sec. 11. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:
  - (i) the authority granted by law to an executive department or agency, or the head thereof; or

- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.
- (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
January 27, 2017.

# # #

From:

Levine, Laurence D

Sent:

Friday, February 03, 2017 7:12 AM

To:

Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes,

Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie \$

Subject:

Here are the latest CBP talkers - I'm not sure what they're used for, but I presume it's for

public comms

**Attachments:** 

QA for EO on Protecting the Nation FINAL.DOCX

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security
(b)(6)

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

Larry Levine

From: Sent:	Levine, Laurence D Friday, February 03, 2017 1:24 PM
To:	Phillips, Mark; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany,
Subject:	Oscar Y; Tynan, Natalie S RE: Deliverable Due 2/17Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States
Thanks Mark	
Larry Levine Acting Chief	
Office of Policy & Strategy U.S. Citizenship and Immigrat Department of Homeland Secu	
(b)(6)	
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L; Dunn, Maureen A; Hamilton, C Rigdon, Jerry L; Silwany, Oscar Y	n, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha iristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B;
7 ,	e from our group. We'll be happy to work with and through the OP&S reps.
From: Levine, Laurence D Sent: Friday, February 03, 2017	1:55:57 PM
<b>To:</b> Anderson, Kathryn E; Beveric A; Hamilton, Cristina A; Lee, Rob Rigdon, Jerry L; Silwany, Oscar Y	dge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen ert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;
•	to 2 or 3 folks - just let me know your nominations by COB.

1

Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Levine, Laurence D

Sent: Friday, February 03, 2017 12:00:17 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L (Samantha.L.Deshommes@uscis.dhs.gov); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S **Subject:** FW: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

Do we have a nominee for this WG from OP&S – not sure which Division is best suited for it, so please share any responses with the entire chain here.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

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From: Valverde, Michael

Sent: Friday, February 03, 2017 11:57 AM

**To:** Farnam, Julie E; Button, Maria G (Gemma); Hatchett, Dolline L; Patching, Laura D; Levine, Laurence D; Rosenberg, Ronald M (Ron); Lafferty, John L; Strack, Barbara L; Ruppel, Joanna; McCament, James W; Neufeld, Donald W; Alfonso, Angelica M; Melero, Mariela; Groom, Molly M; Busch, Philip B; Meckley, Tammy M; Davidson, Andrew J; Renaud, Daniel M; Symons, Craig M; Kovarik, Kathy N; Risch, Carl C; Rather, Michael B; Hamilton, Cristina A; Tynan, Natalie S; Nimick, Charles L (Locky); Dumas, Jessica L; Campagnolo, Donna P; Cox, Sophia; Hinds, Ian G; Zengotitabengoa, Colleen R; Rogers, Debra A; Herrmann, Mary K; Martin, Heather A; Nicholson, Maura J; Kim, Ted H; Stone, Mary M; Carter, Constance L; Kerns, Kevin J; Borgen, Michael R; Emrich, Matthew D; Moran, Karla; Kovarik Nuebel, Kathy **Cc:** Duggan, Steven; Walters, Jessica S; Young, Todd P; Swanson, Toni; Renaud, Tracy L; Scialabba, Lori L **Subject:** RE: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

#### Everyone-

As Julie mentions below, FOD was designated to co-lead with FDNS the **interview portion** of Section 4 (a) Implementing Uniform Screening Standards for All Immigration Programs. The relevant interview portions of Section 4(a) are as follows:

- 1. The development of a uniform screening standard and procedure, such as in-person interviews;
- 2. A mechanism to ensure that the applicant is who the applicant claims to be;

- 3. A process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest;
- 4. Amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; and
- 5. A mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.

I know a lot of work has been done already in various manners that impacts this goal and can be utilized for this task. We would like to convene the process for articulating how the interview process has been and/or can be enhanced (best practices, new policies, new tools/systems, resources, and/or additional questions) to ensure we are using our interviews in the best way to inform our eligibility, credibility and national security/public safety determinations.

Lisette Kvortek will serve as the FOD working group coordinator and will work with the FDNS POC to organize the work. I'd ask that folks self-identify as a responsible party and name a POC representing your office. Since work is due on the 17<sup>th</sup>, we'd like to get started asap.

Thank you.

From: Farnam, Julie E

Sent: Friday, February 03, 2017 11:20 AM

To: Button, Maria G (Gemma); Hatchett, Dolline L; Patching, Laura D; Levine, Laurence D; Rosenberg, Ronald M (Ron); Lafferty, John L; Strack, Barbara L; Ruppel, Joanna; McCament, James W; Neufeld, Donald W; Alfonso, Angelica M; Melero, Mariela; Groom, Molly M; Busch, Philip B; Meckley, Tammy M; Davidson, Andrew J; Valverde, Michael; Renaud, Daniel M; Symons, Craig M; Kovarik, Kathy N; Risch, Carl C; Rather, Michael B; Hamilton, Cristina A; Tynan, Natalie S; Nimick, Charles L (Locky); Dumas, Jessica L; Campagnolo, Donna P; Cox, Sophia; Hinds, Ian G; Zengotitabengoa, Colleen R; Rogers, Debra A; Herrmann, Mary K; Martin, Heather A; Nicholson, Maura J; Kim, Ted H; Stone, Mary M; Carter, Constance L; Kerns, Kevin J; Borgen, Michael R; Emrich, Matthew D; Moran, Karla; Kovarik Nuebel, Kathy Cc: Duggan, Steven; Walters, Jessica S; Young, Todd P; Swanson, Toni; Renaud, Tracy L; Scialabba, Lori L Subject: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

Good morning,

Thank you for your work on the deliverables already completed. I appreciate everyone's timely responses.

The next big deliverable we have is in regards to Sec. 4a and 4b of the Protecting the Nation from Foreign Terrorist Entry EO. Proposals related to the items below are <u>due to me by COB Friday</u>, <u>February 17, 2017</u>. FDNS has the overall lead on this deliverable, but there will also be several working groups that may be co-coordinated by other directorates with FDNS. Here is the specific language from the EO:

"This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States."

Because there are a lot of pieces to this section and because the pieces affect different directorates, we will likely need a few working groups to tackle this one. As discussed at the meeting yesterday, these are the proposed working groups:

- Interviews (FOD to co-lead)
- Identity Document Database
- Identity verification
- Form revisions (OP&S proposal attached)
- Immigrant integration (OoC to co-lead)

As of now DHS has not provided a template or format for the proposals (and I'm told one will not be coming this week). Should I receive a template, I will pass it along, but I think for now we can proceed with just writing up the proposal.

The deliverables tracker has been updated on the ECN and now includes all the items and target completion dates that were provided in the DHS Implementation Plan. To summarize some of the upcoming deliverables (Foreign Terrorist Entry EO deliverables should go to me. Steve Duggan is the POC on the Border Security and Enhancing Public Safety in the Interior EOs):

Operations plan related to minority religions and religious-based persecution	Protecting the Nation from Foreign Terrorist Entry	5b	RAIO	
Priority locations for asylum officers at detention facilities	Border Security and Immigration Enforcement Improvements	5b	RAIO	
Plan related to FY17 refugee entries	Protecting the Nation from Foreign Terrorist Entry	5d	RAIO	<del></del>
Budgetary/Staffing Needs	All EOs	N/A	MGMT	
Staffing needs to assign asylum offices to detention/other DHS facilities	Border Security and Immigration Enforcement Improvements	<b>5</b> b	RAIO	····
Review of asylum referrals/credible fear determinations	Border Security and Immigration Enforcement Improvements	11b	RAIO	осс
Issue guidance to asylum officers outlining changes to CR/RF screening	Border Security and Immigration Enforcement Improvements	11	RAIO	
Immigrant integration	Protecting the Nation from Foreign Terrorist Entry	4a	OoC	FDN:
Identity verification tool	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	·
Form revisions	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	OP&
Interviews	Protecting the Nation from Foreign Terrorist Entry	4a	FOD	FDNS
Development of a document database	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	ОІТ
Uniform screening standards	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	<del></del>
Report on implementing section 4a	Protecting the Nation from Foreign Terrorist Entry	4b	осс	FDN:

Thank you again and if there are any follow-up questions, please let me or Steve know.

Julie Farnam Senior Advisor

Field Operations Dire U.S. Citizenship and I	
	( <b>b</b> )(6)

This communication, along with any attachments, may contain confidential information and is covered by federal laws governing electronic communications. Electronic communications may also be monitored by the Department of Homeland Security, U.S. Citizenship and immigration Services. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you have received this in error, please delete this message and all attachments and immediately notify the sender.

# Gillispie, Anna E

From: Sent: To:	Phillips, Mark Friday, February 03, 2017 1:24 PM Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S
Subject:	RE: Deliverable Due 2/17Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States
I have no nominations to make	from our group. We'll be happy to work with and through the OP&S reps.
A; Hamilton, Cristina A; Lee, Robe Rigdon, Jerry L; Silwany, Oscar Y;	1:55:57 PM Ige, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen ert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;
We're going to have to keep it: Thanks!	to 2 or 3 folks - just let me know your nominations by COB.
Larry Levine	
Acting Chief	
Office of Policy & Strategy U.S. Citizenship and Immigration	ion Services
Department of Homeland Secu	
	·
(b))(6)	
(Samantha.L.Deshommes@uscis.c Phillips, Mark; Prelogar, Brandon I	12:00:17 PM Ige, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L Idhs.gov); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S 17Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States
Do we have a nominee for this W responses with the entire chain h	G from OP&S – not sure which Division is best suited for it, so please share any ere.
Thanks, Larry	

1

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

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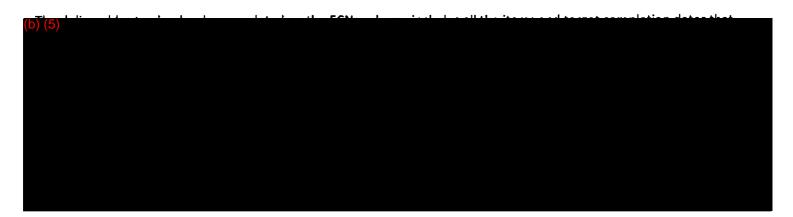
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	איטיושונבט. זו אָטט מטיפ ופעפויפט ניווס ווו פורטי, אופטים עבופגב נווס ווופטיטאַב סויש מוו מננטעוווופוונס מוע וווווופטוטגפוא ווענווא נוופ סבוועבי.

Gillispie, Anna E	·
From:	Levine, Laurence D
Sent:	Friday, February 03, 2017 12:56 PM
To:	Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S
Subject:	RE: Deliverable Due 2/17Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States
We're going to have to Thanks!	keep it to 2 or 3 folks - just let me know your nominations by COB.
· · · · · · · · · · · · · · · · · · ·	
Larry Levine Acting Chief Office of Policy & Stra U.S. Citizenship and In	<del>- T</del>
Department of Homela	and Security
	(b))(6)
(Samantha.L.Deshommes Phillips, Mark; Prelogar, E	
Do we have a nominee for responses with the entire	or this WG from OP&S – not sure which Division is best suited for it, so please share any e chain here.
Thanks,	
Larry	
Larry Levine	
Acting Chief Office of Policy & Strateg	
U.S. Citizenship and Imm Department of Homeland	

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(b)(6)

From: Valverde, Michael

Sent: Friday, February 03, 2017 11:57 AM

To: Farnam, Julie E; Button, Maria G (Gemma); Hatchett, Dolline L; Patching, Laura D; Levine, Laurence D; Rosenberg, Ronald M (Ron); Lafferty, John L; Strack, Barbara L; Ruppel, Joanna; McCament, James W; Neufeld, Donald W; Alfonso, Angelica M; Melero, Mariela; Groom, Molly M; Busch, Philip B; Meckley, Tammy M; Davidson, Andrew J; Renaud, Daniel M; Symons, Craig M; Kovarik, Kathy N; Risch, Carl C; Rather, Michael B; Hamilton, Cristina A; Tynan, Natalie S; Nimick, Charles L (Locky); Dumas, Jessica L; Campagnolo, Donna P; Cox, Sophia; Hinds, Ian G; Zengotitabengoa, Colleen R; Rogers, Debra A; Herrmann, Mary K; Martin, Heather A; Nicholson, Maura J; Kim, Ted H; Stone, Mary M; Carter, Constance L; Kerns, Kevin J; Borgen, Michael R; Emrich, Matthew D; Moran, Karla; Kovarik Nuebel, Kathy Cc: Duggan, Steven; Walters, Jessica S; Young, Todd P; Swanson, Toni; Renaud, Tracy L; Scialabba, Lori L Subject: RE: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

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	Protecting the Nation from	4 A		
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Uniform screening standards	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	
Development of a document database	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	ОІТ
Interviews	Protecting the Nation from Foreign Terrorist Entry	4a	FOD	FDNS
Form revisions	Protecting the Nation from Foreign Terrorist Entry	<b>4</b> a	FDNS	OP&:
Identity verification tool	Protecting the Nation from Foreign Terrorist Entry	<b>4</b> a	FDNS	
Immigrant integration	Protecting the Nation from Foreign Terrorist Entry	4a	OoC	FDN:

Issue guidance to asylum officers outlining changes to CR/RF screening	Border Security and Immigration Enforcement Improvements	11	RAIO	
Review of asylum referrals/credible fear determinations	Border Security and Immigration Enforcement Improvements	11b	RAIO	ОСС
Staffing needs to assign asylum offices to detention/other DHS facilities	Border Security and Immigration Enforcement Improvements	5b	RÁIO	
Budgetary/Staffing Needs	All EOs	N/A	MGMT	
Plan related to FY17 refugee entries	Protecting the Nation from Foreign Terrorist Entry	5d	RAIO	
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Julie Farnam	
Senior Advisor	
Field Operations Dire	ectorate
U.S. Citizenship and I	mmigration Services
	( <b>b</b> )((6)

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## Gillispie, Anna E

From:

Rather, Michael B

Sent:

Friday, February 03, 2017 2:02 PM

To:

Cummings, Kevin J; Levine, Laurence D

Cc:

Phillips, Mark; Parascandola, Ciro A

Subject:

RE: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry

into the United States

Thanks Kevin! I hope you enjoy the weekend, too!

It's unanimous, right? Go Falcons!

#### Michael B. Rather | Division Chief

Resource Management & Mission Support Division | Office of Policy and Strategy (OPS) U.S. Citizenship & Immigration Services (USCIS) | Department of Homeland Security (DHS)

20 Massachusetts Avenue NW - Suite 1200 | Washington, DC 20529

(b)(6)

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From: Cummings, Kevin J

Sent: Friday, February 03, 2017 2:48 PM

To: Levine, Laurence D

Cc: Phillips, Mark; Parascandola, Ciro A; Rather, Michael B

Subject: RE: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

We echo Mr Phillips. Happy Weekend gents.

From: Levine, Laurence D

Sent: Friday, February 03, 2017 2:24:13 PM

To: Phillips, Mark; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

Thanks Mark

Larry Levine Acting Chief Office of Policy & Strategy U.S. Citizenship and Immigration Services

Department of Homeland Security	
( <b>b</b> ))(6)	
L; Dunn, Maureen A; Hamilton, Cristina A Rigdon, Jerry L; Silwany, Oscar Y; Tynan <b>Subject:</b> RE: Deliverable Due 2/17Sec	ryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; n, Natalie S c. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States
I have no nominations to make from	our group. We'll be happy to work with and through the OP&S reps.
A; Hamilton, Cristina A; Lee, Robert E; Pa Rigdon, Jerry L; Silwany, Oscar Y; Tynan	nnifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;
We're going to have to keep it to 2 or Thanks!	3 folks - just let me know your nominations by COB.
Larry Levine Acting Chief Office of Policy & Strategy U.S. Citizenship and Immigration Ser Department of Homeland Security (b)(6)	rvices
Phillips, Mark; Prelogar, Brandon B; Rath Subject: FW: Deliverable Due 2/17Sec	17 PM  Innifer, L. (Jenna); Cummings, Kevin J; Deshommes, Samantha L  J; Duff, Plaureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Iner, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S  c. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States  OP&S – not sure which Division is best suited for it, so please share any
responses with the entire chain here.	
Thanks, Larry	
Larry Levine	

Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Form revisions	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	OP&
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U.S. Citizenship and	Immigration Services
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From: Hamilton, Cristina A Sent: Friday, February 03, 2017 11:07 AM To: Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States NSBI should definitely participate, but I think also someone from Mark's team as it would seem to be natz and adjustment. Not sure if it goes beyond those benefit types to include asylum/refugee. Cristina Hamilton Chief, National Security and **Benefits Integrity Division** Office of Policy and Strategy, USCIS (b)(6) This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, 🔍 please notify the sender and delete or destroy all copies. Thank you. From: Levine, Laurence D **Sent:** Friday, February 03, 2017 12:00 PM To: Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalle S Subject: FW: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States Do we have a nominee for this WG from OP&S - not sure which Division is best suited for it, so please share any responses with the entire chain here. Thanks. Larry Larry Levine **Acting Chief** Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security (b)(6)

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From: Farnam, Julie E

**Sent:** Friday, February 03, 2017 11:20 AM

To: Button, Maria G (Gemma); Hatchett, Dolline L; Patching, Laura D; Levine, Laurence D; Rosenberg, Ronald M (Ron); Lafferty, John L; Strack, Barbara L; Ruppel, Joanna; McCament, James W; Neufeld, Donald W; Alfonso, Angelica M; Melero, Mariela; Groom, Molly M; Busch, Philip B; Meckley, Tammy M; Davidson, Andrew J; Valverde, Michael; Renaud, Danlel M; Symons, Craig M; Kovarik, Kathy N; Risch, Carl C; Rather, Michael B; Hamilton, Cristina A; Tynan, Natalie S; Nimick, Charles L (Locky); Dumas, Jessica L; Campagnolo, Donna P; Cox, Sophia; Hinds, Ian G; Zengotitabengoa, Colleen R; Rogers, Debra A; Herrmann, Mary K; Martin, Heather A; Nicholson, Maura J; Kim, Ted H; Stone, Mary M; Carter, Constance L; Kerns, Kevin J; Borgen, Michael R; Emrich, Matthew D; Moran, Karla; Kovarik Nuebel, Kathy Cc: Duggan, Steven; Walters, Jessica S; Young, Todd P; Swanson, Toni; Renaud, Tracy L; Scialabba, Lori L Subject: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

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Report on implementing section 4a	Protecting the Nation from Foreign Terrorist Entry	4b	occ	FDNS
Uniform screening standards	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	
Development of a document database	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	OIT
Interviews	Protecting the Nation from Foreign Terrorist Entry	4a	FOD	FDNS
Form revisions	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	OP&:
Identity verification tool	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	
Immigrant integration	Protecting the Nation from Foreign Terrorist Entry	4a	OoC	FDNS
Issue guidance to asylum officers outlining changes to CR/RF screening	Border Security and Immigration Enforcement Improvements	11	RAIO	

Review of asylum referrals/credible fear determinations	Border Security and Immigration Enforcement Improvements	រុំ 11b	RAIO	ွဲ့္ပါဝင္ငင
Staffing needs to assign asylum offices to detention/other DHS facilities	Border Security and Immigration Enforcement Improvements	5b	RAIO	
Budgetary/Staffing Needs	All EOs	N/A	MGMT	
Plan related to FY17 refugee entries	Protecting the Nation from Foreign Terrorist Entry	5d	RAIO	
Priority locations for asylum officers at detention facilities	Border Security and Immigration Enforcement Improvements	5b	RAIO	(A)
Operations plan related to minority religions and religious-based persecution	Protecting the Nation from Foreign Terrorist Entry	5b	RAIO	

Thank you again and if there are any follow-up questions, please let me or Steve know.

Julie Farnam	
Senior Advisor	
Field Operations Dire	ectorate
U.S. Citizenship and	Immigration Services
	( <b>b</b> )(6)

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Gillispie, Anna E From: Prelogar, Brandon B Sent: Friday, February 03, 2017 3:20 PM Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin To: J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S RE: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry Subject: into the United States RJ Linnan for IHAD. Thanks! From: Levine, Laurence D Sent: Friday, February 03, 2017 1:56 PM To: Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States We're going to have to keep it to 2 or 3 folks - just let me know your nominations by COB. Thanks! Larry Levine Acting Chief Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security (b)(6) From: Levine, Laurence D **Sent:** Friday, February 03, 2017 12:00:17 PM To: Anderson, Kathryn E: Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L Dufts (Gaureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: FW: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States Do we have a nominee for this WG from OP&S - not sure which Division is best suited for it, so please share any responses with the entire chain here.

Thanks, Larry



(b)(6

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**Sent:** Friday, February 03, 2017 11:57 AM

To: Farnam, Julie E; Button, Maria G (Gemma); Hatchett, Dolline L; Patching, Laura D; Levine, Laurence D; Rosenberg, Ronald M (Ron); Lafferty, John L; Strack, Barbara L; Ruppel, Joanna; McCament, James W; Neufeld, Donald W; Alfonso, Angelica M; Melero, Mariela; Groom, Molly M; Busch, Philip B; Meckley, Tammy M; Davidson, Andrew J; Renaud, Daniel M; Symons, Craig M; Kovarik, Kathy N; Risch, Carl C; Rather, Michael B; Hamilton, Cristina A; Tynan, Natalie S; Nimick, Charles L (Locky); Dumas, Jessica L; Campagnolo, Donna P; Cox, Sophia; Hinds, Ian G; Zengotitabengoa, Colleen R; Rogers, Debra A; Herrmann, Mary K; Martin, Heather A; Nicholson, Maura J; Kim, Ted H; Stone, Mary M; Carter, Constance L; Kerns, Kevin J; Borgen, Michael R; Emrich, Matthew D; Moran, Karla; Kovarik Nuebel, Kathy Cc: Duggan, Steven; Walters, Jessica S; Young, Todd P; Swanson, Toni; Renaud, Tracy L; Scialabba, Lori L Subject: RE: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

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As Julie mentions below, FOD was designated to co-lead with FDNS the **interview portion** of Section 4 (a) Implementing Uniform Screening Standards for All Immigration Programs. The relevant interview portions of Section 4(a) are as follows:

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	Protecting the Nation from			
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1. 184	Protecting the Nation from		1	
Development of a document database	Foreign Terrorist Entry	4a	FDNS	OIŤ
Interviews	Protecting the Nation from Foreign Terrorist Entry	4a	FOD	FDNS
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Issue guidance to asylum officers outlining changes to CR/RF screening	Border Security and Immigration Enforcement Improvements	11	RAIO	
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Staffing needs to assign asylum offices to detention/other DHS facilities	Border Security and Immigration Enforcement Improvements	5b	RAIO	
Budgetary/Staffing Needs	All EOs	N/A	MGMT <u>*</u>	.1
Plan related to FY17 refugee entries	Protecting the Nation from Foreign Terrorist Entry	5d	RAIO	
Priority locations for asylum officers at detention facilities	Border Security and Immigration Enforcement Improvements	, 5b	RAIO	
Operations plan related to minority religions and religious-based persecution	Protecting the Nation from Foreign Terrorist Entry	5 <b>b</b>	RAIO	

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Field Operations Dire	ectorate
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## Gillispie, Anna E

From:	Prelogar, Brandon B
Sent:	Friday, February 03, 2017 12:04 PM
To:	Hamilton, Cristina A; Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S
Subject:	RE: Deliverable Due 2/17Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States
	ng it may well encompass those kinds of benefits (asylum, ref, etc.), too – or at least don't so, from our perspective, in the early phases at least and as the scope is being defined, we
From: Hamilton, Cristina A Sent: Friday, February 03, 2	
	erson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha bert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, nan, Natalie S
	e 2/17Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States
	pate, but I think also someone from Mark's team as it would seem to be natz and es beyond those benefit types to include asylum/refugee.
Cristina Hamilton Chief, National Security and Benefits Integrity Division Office of Policy and Strategy,	USCIS
(b)((6	
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Thanks,	
Larry.	
	<del></del> ,
Larry Levine Acting Chief	

Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

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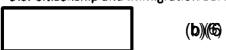
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Field Operations Directorate
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## Gillispie, Anna E

From:

Parascandola, Ciro A

Sent:

Friday, February 03, 2017 11:16 AM

To:

Cummings, Kevin J.

Subject:

RE: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry

into the United States

Yeah but we should not be pressed on this.

From: Cummings, Kevin J

Sent: Friday, February 03, 2017 12:12:31 PM

To: Parascandola, Ciro A

Subject: FW: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

If pressed, Bazaire

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Larry Levine
Acting Chief
Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(66)

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#### Everyone—

As Julie mentions below, FOD was designated to co-lead with FDNS the **interview portion** of Section 4 (a) Implementing Uniform Screening Standards for All Immigration Programs. The relevant interview portions of Section 4(a) are as follows:

- 1. The development of a uniform screening standard and procedure, such as in-person interviews;
- 2. A mechanism to ensure that the applicant is who the applicant claims to be;
- 3. A process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest;
- 4. Amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; and
- 5. A mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.

I know a lot of work has been done already in various manners that impacts this goal and can be utilized for this task. We would like to convene the process for articulating how the interview process has been and/or can be enhanced (best practices, new policies, new tools/systems, resources, and/or additional questions) to ensure we are using our interviews in the best way to inform our eligibility, credibility and national security/public safety determinations.

Lisette Kvortek will serve as the FOD working group coordinator and will work with the FDNS POC to organize the work. I'd ask that folks self-identify as a responsible party and name a POC representing your office. Since work is due on the 17<sup>th</sup>, we'd like to get started asap.

Thank you.

From: Farnam, Julie E

**Sent:** Friday, February 03, 2017 11:20 AM

To: Button, Maria G (Gemma); Hatchett, Dolline L; Patching, Laura D; Levine, Laurence D; Rosenberg, Ronald M (Ron); Lafferty, John L; Strack, Barbara L; Ruppel, Joanna; McCament, James W; Neufeld, Donald W; Alfonso, Angelica M; Melero, Mariela; Groom, Molly M; Busch, Philip B; Meckley, Tammy M; Davidson, Andrew J; Valverde, Michael; Renaud, Daniel M; Symons, Craig M; Kovarik, Kathy N; Risch, Carl C; Rather, Michael B; Hamilton, Cristina A; Tynan, Natalle S; Nimick, Charles L (Locky); Dumas, Jessica L; Campagnolo, Donna P; Cox, Sophia; Hinds, Ian G; Zengotitabengoa, Colleen R; Rogers, Debra A; Herrmann, Mary K; Martin, Heather A; Nicholson, Maura J; Kim, Ted H; Stone, Mary M; Carter, Constance L; Kerns, Kevin J; Borgen, Michael R; Emrich, Matthew D; Moran, Karla; Kovarik Nuebel, Kathy Cc: Duggan, Steven; Walters, Jessica S; Young, Todd P; Swanson, Toni; Renaud, Tracy L; Scialabba, Lori L. Subject: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

Good morning,

Thank you for your work on the deliverables already completed. I appreciate everyone's timely responses.

The next big deliverable we have is in regards to Sec. 4a and 4b of the Protecting the Nation from Foreign Terrorist Entry EO. Proposals related to the items below are <u>due to me by COB Friday</u>, <u>February 17, 2017</u>. FDNS has the overall lead on

this deliverable, but there will also be several working groups that may be co-coordinated by other directorates with FDNS. Here is the specific language from the EO:

"This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States."

Because there are a lot of pieces to this section and because the pieces affect different directorates, we will likely need a few working groups to tackle this one. As discussed at the meeting yesterday, these are the proposed working groups:

- Interviews (FOD to co-lead)
- Identity Document Database
- Identity verification
- Form revisions (OP&S proposal attached)
- Immigrant integration (OoC to co-lead)

As of now DHS has not provided a template or format for the proposals (and I'm told one will not be coming this week). Should I receive a template, I will pass it along, but I think for now we can proceed with just writing up the proposal.

The deliverables tracker has been updated on the ECN and now includes all the items and target completion dates that were provided in the DHS implementation Plan. To summarize some of the upcoming deliverables (Foreign Terrorist Entry EO deliverables should go to me. Steve Duggan is the POC on the Border Security and Enhancing Public Safety in the Interior EOs):

· · · · · · · · · · · · · · · · · · ·	<del> </del>			<del>. ,</del>
Report on implementing section 4a	Protecting the Nation from Foreign Terrorist Entry	4b	осс	FDNS
Uniform screening standards	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	
Development of a document database	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	ОІТ
Interviews	Protecting the Nation from Foreign Terrorist Entry	4a	FOD	FDN:
Form revisions	Protecting the Nation from Foreign Terrorist Entry	<b>4</b> a	FDNS	OP&
Identity verification tool	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	
Immigrant integration	Protecting the Nation from Foreign Terrorist Entry	4a	ОоС	FDNS
Issue guidance to asylum officers outlining changes to CR/RF screening	Border Security and Immigration Enforcement Improvements	11	RAIO	
Review of asylum referrals/credible fear determinations	Border Security and Immigration Enforcement Improvements	11b	RAIO	ОСС
Staffing needs to assign asylum offices to detention/other DHS facilities	Border Security and Immigration Enforcement Improvements	5b	RAIÓ	

Budgetary/Staffing Needs	All EOs	N/A	MGMT	, , , , , , , , , , , , , , , , , , , ,
Blan related to CV17 refugee antrice	Protecting the Nation from	Ed	RAIO	
Plan related to FY17 refugee entries  Priority locations for asylum officers at detention, facilities	Foreign Terrorist Entry  Border Security and Immigration Enforcement Improvements	5d 5b	RAIO	75% A
Operations plan related to minority religions and religious-based persecution	Protecting the Nation from Foreign Terrorist Entry	5b	RAIO	00-

Thank you again and if there are any follow-up questions, please let me or Steve know.

Julie Farnam
Senior Advisor
Field Operations Directorate
U.S. Citizenship and Immigration Services
(b))(6)

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## Gillispie, Anna E

211112	
From:	Silwany, Oscar Y
Sent:	Monday, January 30, 2017 12:11 AM
To:	Levine, Laurence D
Cc:	Lin, Melissa; Cummings, Kevin J; Deshommes, Samantha L; Parascandola, Ciro A; Phillip
	Mark; Rather, Michael B
Subject:	RE: Executive Order - ECN Link
•	ve issues with permissions, etc., with the doc stored in a BFWD site library. As such, I created a going to need one very soon anyway as we did with CIR in 2013. See links to site and library below.
· ·	y supports versioning; the latest version includes RCD's comments. We can tighten up among other items. I wanted to send this to you all first – if OK with you and Larry, please send
I am having internet (ar spot for now).	nd cable) issues at home and need to wait for a Verizon tech tomorrow (using iPhone as a hot
Presidential Actions EC	N site (beta): http://ecn.uscis.dhs.gov/team/ops/PDC/ExecActions/default.aspx
The matrix is housed he	ere: http://ecn.uscis.dhs.gov/team/ops/PDC/ExecActions/SharedLibrary/Forms/AllItems.aspx
This email along with any attachments is inter- Unauthorized use or dissemination of this orma-	idost solely for the use of the addresseu(s) and may contain information that is sensitive or protected by applicable law if and any attachments is strictly prohibited. It you are not the intended recipient, please notify the sender and delete or destroy all copies
(Jenna); Dunn, Mauree	29, 2017 7:19 PM; ; Deshommes, Samantha L; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L n A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; y, Oscar Y; Tynan, Natalie S; Viger, Steven W
Nice - thanks	
Larry Levine	•
Acting Chief	· ·
Office of Policy & St U.S. Citizenship and	**
Department of Home	
Department of Ho	min naamini

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 7:08:18 PM

(b)(6)

To: Levine, Laurence D; Deshommes, Samantha L; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L

(Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S; Viger, Steven W

Subject: RE: Executive Order - ECN Link

From: Viger, Steven W

Sent: Sunday, January 29, 2017 7:01 PM

**To:** Cummings, Kevin J **Cc:** Parascandola, Ciro A **Subject:** RE: Executive Order

Here's the link: Executive Order. Depends who all needs access. If it's just BFWD folks, that's easy. If it's others, just takes time to add the names.

Thanks to Steven, here is the ECN link to the document.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 4:04 PM

**To:** Deshommes, Samantha L; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam - there's some other chain that Tammy was on.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L.

Sent: Sunday, January 29, 2017 3:58:09 PM

**To:** Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

RCD's questions, timing guidance, etc. is attached.

Forms/PRA: In short, form changes can be accomplished via an emergency approval action, which in comparison with the normal process is quicker, but requires a duplicate action. OMB approval under emergency approval is only valid for 6 months so we'd have to restart the normal process (60- and 30-day Notices) immediately. The speed with which we can submit such actions to OMB depend on the speed with which legal guidance is provided to allow for firm decisions on form changes, additional form questions, etc.; the speed with which OIDP can provide the amended form instruments; and the speed with which IT and OIDP can schedule the revised forms for intake.

Regs: I think the most appropriate timeline to use is the average time it took for us to draft and publish EA-related rulemakings (approx. 12-16 months for drafting, clearing publishing the NPRM, and approx. 6-8 months to consider comments, draft, clear, and publish the final rule). Notice that I didn't opine on the effective date of the reg (which, usually is 30-60 days from the date the final rule publishes). However, the effective date is most dependent on the needs of IT and OIDP schedules.

Additional questions and comments are provided in the attached. Btw, under the assumption this will be posted on the OP&S ECN, I shortened the filename.

Larry: Just a suggestion...Many of the directives in the EO (uniform identify verification) may require new regs and/or workload for both FDNS and IRIS, and I noticed that IRIS wasn't looped in on the email chain forward from Dan. Maybe you should reach out to Tammy to give her a heads-up. Just a suggestion...

Sam

Samantha Deshammes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 3:31 PM

**To:** Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beverldge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I defer to you all for all counting matters - I'm glad you all picked it up; I don't know why 6 was stuck in my head.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 3:28:37 PM

**To:** Levine, Laurence D; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Not to be a stickler for details, but isn't it 7 countries?

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 2:39 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 1:19:08 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

(b)(6)

Subject: RE: Executive Order

Attached is the stay order from last night. I've also heard that mandamus actions regarding the EO holds may be coming our way.

Larry Levine **Acting Chief** Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security (b)(6) From: Prelogar, Brandon B Sent: Sunday, January 29, 2017 1:11:27 PM To: Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beverldge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives. From: Anderson, Kathryn E **Sent:** Sunday, January 29, 2017 7:51:47 AM To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple **(b)**(5) things:

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in

section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn Anderson	
Acting Chief, International and Humanitarian Al	ffairs Division
Office of Policy and Strategy, U.S. Citizenship ar	nd Immigration Services
Department of Homeland Security	
	(b)\(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division

USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shownen E. Slattery

Field Operations Directorate 1.11.5. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

Sent: Saturday, January 28, 2017 11:42 AM To: Renaud, Daniel M; Kvortek, Lisette E Cc: Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

**Subject:** FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more

urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
LLS Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L Sent: Friday, January 27, 2017 5:59:36 PM To: Renaud, Daniel M; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order
I think that's o.k. and going forward don't schedule these for interviews.
From: Renaud, Daniel M Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order
If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.
Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Services
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order  (b)(5)
FYI. I think Andrew might be right in terms of what is meant but
From: Davidson, Andrew J
Sent: Friday, January 27, 2017 12:37 PM  To: Renaud, Tracy L  Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L  Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person  We just need to clarify if by extension this applies to
our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications

on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

## Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Sérvices
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529

(b) (6)

# Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 3:52 PM

To:

Renaud, Daniel M; Groom, Molly M; Neufeld, Donald W; Walters, Jessica S

Cc:

Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica

S

Subject:

RE: Executive Order

All – I asked the regs team to give us an idea of the tie frames for doing and re-doing forms as well as regs:

For forms, if, for instance, we have to add new vetting questions, OMB approval can be accomplished relatively quickly as an emergency action (compared to the normal process).

Steps and qualifications for emergency OMB approval:

- 1) OP&S division, operational directorates, OCC, and RCD collaborate on the amended form and/or instructions.
- 2) RCD prepares the relevant PRA supporting documents (Supporting Statement, etc.) working with OIDP and Office of Privacy
- 3) Draft a memo justifying the emergent need (e.g., the EO), signed by USCIS CIO and DHS CIO.
- 4) RCD submits the package to OMB. OMB approval under emergency will only be valid for 6 months. To extend the validity of the OMB approval beyond 6 months, RCD would need to publish the 60- and 30-day Notices as normal and then resubmit the package to OMB.

As a side note, the interior enforcement EO took away the Privacy Act protections that the USG had extended to non-citizens (by policy I believe). This change may significantly impact how the Privacy Act is interpreted w/r/t USCIS forms and systems, and may or may not cause changes to our Privacy Threshold Analyses which support the PRA process. We need to get a legal opinion on whether our PTAs, etc. will change because of this, and if we can update the relevant PRA supporting documents as they come up in the queue (i.e. as RCD starts work upon expiration) or if this needs to be implemented immediately (which would be a significant workload).

For regs, the time it took to get the EA rules out from the Nov. 20, 2014 memo are good barometers of the average timeline when there is WH support and it's moving as an emergency action:

- Average of 12-16 months for drafting and publishing an NPRM (but note that there was already some work done on EA before the 11/2014 announcement)
- Average of 6-8 months to review public comments, draft final rule, and publish the final rule.

Caveats: 1) The above assumes a relatively hands-off approach of OGC staff-level attorneys and economists prior to moving to OGC FO, S1 FO, and OMB. Also assumes that the timelines for S1 FO review will be similarly expedited (i.e. a matter of hours wherein the Assistant General Counsel briefs S1 and obtains signature). 2) The "effective date" will largely depend on the speed that our computer systems can be stood up. 3) Also, of course, depends on the number and complexity of public comments received and the continued availability of monetary resources to fund contractor support of our regulatory projects (comment analysis).

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 11:42 AM

To: Renaud, Daniel M; Groom, Molly M; Neufeld, Donald W; Walters, Jessica S

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

Ok - thanks

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Sunday, January 29, 2017 11:40:01 AM

To: Levine, Laurence D; Groom, Molly M; Neufeld, Donald W; Walters, Jessica S

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

As of right now, we are holding all applications and petitions from led by individuals from the 7 countries. We did let an N-400 ceremony and an N-600 ceremony go forward yesterday.

We expect today to put out general guidance that the EO does not impact citizenship cases. DHS is reviewing the language. Everything else is on hold.

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 11:24:57 AM

To: Groom, Molly M; Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

Has anything gone out to our field folks at this point about pendings?

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Groom, Molly M

Sent: Saturday, January 28, 2017 9:21:08 PM

To: Levine, Laurence D; Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

Trying to get best information.

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 9:20:37 PM

To: Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Groom, Molly M; Walters, Jessica S

Subject: RE: Executive Order

Reuters is reporting that the stay covers holders of valid IV and NIVs and arriving refugees

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Levine, Laurence D

**Sent:** Saturday, January 28, 2017 9:08:36 PM

To: Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Groom, Molly M; Walters, Jessica S

**Subject:** RE: Executive Order

I've only seen this on Twitter, but it looks like a judge in EDNY has granted a nationwide stay of the refugee EO. I haven't been able to nail down a copy of the actual order, so I have no actual details. Anyone else hear anything?

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Neufeld, Donald W

Sent: Saturday, January 28, 2017 12:54:08 PM

To: Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D; Groom, Molly M;

Walters, Jessica S

Subject: RE: Executive Order

Yes, thanks. I've shared with my folks too.

From: Walters, Jessica S

Sent: Saturday, January 28, 2017 12:41:04 PM

To: Renaud, Daniel M

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M; Walters, Jessica S **Subject:** RE: Executive Order

Thanks very much.

Jessica S. Walters
Senior Advisor
Office of the USCIS Deputy Director
U.S. Citizenship and Immigration Services

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:16 AM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D; Groom,

Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

Sent: Saturday, January 28, 2017 11:42 AM To: Renaud, Daniel M; Kvortek, Lisette E Cc: Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde	
DHS USCIS	
Field Operations Directorate, Deputy Associate Direct	to
( <b>b</b> )(6)	

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J; Emrich,

Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services

#### Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J; Emrich,

Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel

Chief, International Operations Division

U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J; Emrich,

Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you

on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L; Davidson,

Andrew J; Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and

Matt/Andrew. We'll start regular meetings next week,

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

1 think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries

abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 5:59:36 PM To: Renaud, Daniel M; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k, and going forward don't schedule these for interviews.

From: Renaud, Daniel M

Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order



FYI. I think Andrew might be right in terms of what is meant but
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person  We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.
Thanks,
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529
<b>(b)</b> )(6)

## Gillispie, Anna E

From:

Deshommes, Samantha L

Sent:

Sunday, January 29, 2017 2:58 PM

To:

Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

RE: Executive Order

**Attachments:** 

Executive Order - 01272017\_RCD.docx

RCD's questions, timing guidance, etc. is attached.

Forms/PRA: In short, form changes can be accomplished via an emergency approval action, which in comparison with the normal process is quicker, but requires a duplicate action. OMB approval under emergency approval is only valid for 6 months so we'd have to restart the normal process (60- and 30-day Notices) immediately. The speed with which we can submit such actions to OMB depend on the speed with which legal guidance is provided to allow for firm decisions on form changes, additional form questions, etc.; the speed with which OIDP can provide the amended form instruments; and the speed with which IT and OIDP can schedule the revised forms for intake.

Regs: I think the most appropriate timeline to use is the average time it took for us to draft and publish EA-related rulemakings (approx. 12-16 months for drafting, clearing publishing the NPRM, and approx. 6-8 months to consider comments, draft, clear, and publish the final rule). Notice that I didn't opine on the effective date of the reg (which, usually is 30-60 days from the date the final rule publishes). However, the effective date is most dependent on the needs of IT and OIDP schedules.

Additional questions and comments are provided in the attached. Btw, under the assumption this will be posted on the OP&S ECN, I shortened the filename.

Larry: Just a suggestion...Many of the directives in the EO (uniform identify verification) may require new regs and/or workload for both FDNS and IRIS, and I noticed that IRIS wasn't looped in on the email chain forward from Dan. Maybe you should reach out to Tammy to give her a heads-up. Just a suggestion...

Sam

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy



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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 3:31 PM

**To:** Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I defer to you all for all counting matters - I'm glad you all picked it up; I don't know why 6 was stuck in my head.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 3:28:37 PM

**To:** Levine, Laurence D; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Not to be a stickler for details, but isn't it 7 countries?

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 2:39 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beverldge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services

( <b>b</b> )(6)	
	athryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;
Attached is the stay order from last coming our way.	night. I've also heard that mandamus actions regarding the EO holds may be
Larry Levine	
Acting Chief	
Office of Policy & Strategy	
J.S. Citizenship and Immigration S	ervices
Department of Homeland Security	
( <b>b</b> )( <b>6</b> )	
(Jenna); Dunn, Maureen A; Hamilton, (Rigdon, Jerry L; Silwany, Oscar Y; Tyna Subject: RE: Executive Order  I'd only add re: rescission of TRIG existing exemptions to TRIG cases about entry vs admission, while I ur	Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;
	nce D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; rascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,
I'll look more closely at the chart, but i	upon first glance and after reading the chain below, I wanted to raise a couple



- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
  - 2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

#### Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services

epartment of	f Homeland	Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Riguon, Jerry L, Shwany, Oscar T, Tynan, Natali

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS. Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S.

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M.

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM
To: Valverde, Michael; Renaud, Daniel M
Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Civil Counting Directorate LUS Civil Country

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

**Subject:** RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Onerations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services



From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

**Subject:** RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 5:59:36 PM To: Renaud, Daniel M; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

I think Andrew might be right in terms of what is meant bu

( <b>b</b> ))(5)
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person.  We just need to clarify if by extension this applies to
our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.
Thanks,
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529
(b))(6)

Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

POLICY: It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

### **GENERAL OBJECTIVES:**

- Be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they
  have no ties to terrorism.
- Ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles
- We cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law
- We should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or
  the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or
  sexual orientation

Date conversions	
Days from order	Date
30 -	2/26
60 '	3/28
90	4/27
100	5/7
120	5/27
180	7/26
200	8/15

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
Section 3	: Suspension of Issu	ance of Visas and O	ther Immigration Benefits to	Nationals of Co	untries of Particular Concern	<b>医影响的 医生物性毒性</b>
3a	In consultation with DOS/DNI	Review	Determine information needed from any country to adjudicate any visa, admission or benefit under the INA in order to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public safety threat.	Immediate		

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
3b	OHS	Report	Information identified in review under 3a	30 days from Jan 27	Report to President Copy to DOS/DNI	
3c	DHS/DOS	Suspend	Admission of immigrants and nonimmigrants from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya	For 90 days from Jan 27	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	1. Are the following forms impacted: N-400s, N-336, i-601A, I-131, I-765, N-565, I-130,?  2. Should we deschedule oath ceremonies for individuals from the 7?  3. How do we handle N-400s 120+ days from interview?  4. Should we stop RFEs?  5. Should we stop scheduling interviews?  6. What about change of status from other NIV categories to NATO visas, C-2 travel visas (UN) andG-1, G-2, G-3, and G-4 visas?  7. What about change of status for NIVs for these countries?
3d	DOS	Request	Secretary shall request all foreign governments that do not supply information identified in 3a review to provide such information.	Immediately following report in 3b	Foreign governments will be given 60 days to begin providing information	
3e	DHS In consultation with DOS	Recommendation	Recommend countries whose foreign nationals would be prohibited entry to the United States due to the country's failure to provide information requested by the U.S. as described in 3d	After 60 day period outlined in 3d	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	
3g"					"Exception: DHS and DOS may on a case- by-case and when in national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.	
3f	DHS or DOS	Recommendation	Add countries to list of those whose nationals are prohibited from entering the U.S. due to failure to provide information as requested by the U.S. (3d)	After submission of List Indefinite		
3h	DHS and DOS	Joint Report	Report progress implementing Order	30 days 60 days		

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Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments	1	
				90 days			] ,	
				120 days			1/1	
Cantina	1. 11	form Consortes Chard	landa fan All Immirrania Dans	From Jan 27			<b>{/                                    </b>	
·			ards for All Immigrant Prog	7	······································	- De contra alla contra de	<b>∛</b>	
4a	DHS/DOS/DNI/FBI	Implement Program as part of adjudications process to include development of:  Uniform screening standard and procedure, such as interviews Database	To identify individuals seeking to enter US on a fraudulent basis with intent to cause harm, or who are at risk of causing harm subsequent to admission.  Capture identity documents from being used by multiple applicants	Initial progress report due within 60 days of Jan 27		1. Do we need to take any actions prior to the "plan" described in section four being developed and implemented?  2. Who is responsible for developing the plan?  3. Might this functionality [database to collect identity documents] already exist and be implemented?  4. [Would these [amended application forms] be internal worksheets and not OMB cleared changes to existing forms?  5. [Regarding mechanism to ensure applicant's claimed identity] Beyond existing measures/capabilities? Enhanced data share?		
		Amended     Application Forms	To add questions aimed at identifying fraudulent answers and malicious intent					
		Mechanism	To ensure applicant is who the applicant claims to be					
		• Process	To evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest					
		Mechanism	To assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the U.S.					

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
4b	DHS/DOS/DNI/FBI	Report	Report progress of initiatives	Within 60 days,	Report to President	
			under 4a	100 days,		
				200 days of Jan 27		
Sec. S. Re	alignment of the U.S.	Refugee Admissions Pr	ogram for Fiscal Year 2017.			
5a	DOS	Suspend the USRAP		For 120 days from		
		program		Jan 27		
5a	DOS	Review	Review the USRAP application	Within 120 days		
	In consultation with		and adjudication process to	of Jan 27		
	DHS/DNI		determine what additional			
			procedures should be taken to			
			ensure that those approved			
			for refugee admission do not			
			pose a threat to the security			
			and welfare of the United			
5a	DOS	Implement	States Implement procedures	Within 120 days	Refugee applicants who are	· · · · · · · · · · · · · · · · · · ·
Ja	003	anpienent	identified during review	of Jan 27	already in the USRAP process	
	In consultation with		Acuture danie i carea	VI Juli L	may be admitted upon the	
	DHS/DNS				initiation and completion of	,
	0113,0113				these revised procedures.	
 5a	DOS	Resume USRAP		120 days after	Limited to nationals of	
7.0	"	THE SECTION OF THE SE		order	countries for which the	
				1	DHS/DOS/DNI have jointly	
					determined that such	
					additional procedures are	
					adequate to ensure the	
					security and welfare of the	
		ļ			United States	
5b	DOS	Prioritize Refugee	Prioritize claims made by		Individual's religion must be a	
		Claims	individuals on the basis of		minority religion in the	
	In consultation with		religious-based persecution.		individual's country of	
	DHS				nationality.	
5b	DOS/DHS	Recommend	To support prioritization of			
		Legislation	refugee claims as noted			
r-	Donaldon t	6	immediately above.	11-614-	F	
. Sc	President	Suspend admission of		Until the	Exception:	
		Syrian refugees		president	DHS/DOS have discretion to	
r_				determines	jointly determine to admit	
Se Evention				sufficient changes	individuals to the United	
Exception				have been made to USRAP to	States as refugees on a case- by-case basis only so long as	
	1			ensure admission	they determine that the	
				of Syrian Refugees	admission of such individuals	
				is consistent with	as refugees is in the national	
				the national	interest — including when the	İ
				interest.	person is a religious minority	
				וונטכטנו	in his country of nationality	
	<u> </u>		1		Times country of nationality	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
					facing religious persecution,	
		ļ			when admitting the person	
					would enable the United	
					States to conform its conduct	
			•		to a preexisting international	
					agreement, or when the	
					person is already in transit and denying admission would	
					cause undue hardship – and it	
					I	
					security or welfare of the	
					United States.	
5d	President	Limit refugee		Until such time as		
		admissions to 50,000		the president		
		in FY 2017				
				1		
Sf .	005	Report	Progress of prioritization of	<del> </del>		
-				and		
				200 days of Jan 27_		<u></u>
5g	DHS	Determine based on	Extent to which state and			
		existing law	would not pose a risk to the security or welfare of the United States.  Until such time as the president determines that additional admissions would be in the national interest  Progress of prioritization of claims under 5(b)  Extent to which state and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions  Plan to involve state/local jurisdictions in refugee resettlement process  the Terrorism Grounds of Inadmissibility  Authorities under INA 212 (8 Undefined			
			· -			
			1.			
Sg	DHS	Propose				
~0						
			1			
	escission of Exercise of	Authority Relating to t	he Terrorism Grounds of Inad	missibility		
6a	DOS/DHS	Review and consider		Undefined		Should we adjudicate cases in TRIG
		rescinding				hold? It doesn't seem like exemptions are
	In consultation with		and related memoranda			Totalkonning
Sec. 7. E		the Biometric Entry-E	kit Tracking System.			
7a	DHS	Expedite completion			Recommended by the	
		and implementation			National Commission on	
		of a biometric entry-			Terrorist Attacks Upon the	
		exit tracking system			United States	
		for all travelers to the				
γL	NUC	United States	Brancase as discretive to 7:	unida 100 dasa		
7b	DHS	Report	Progress on directive in 7a	Within 100 days		
		1	<u></u>	200 days and 365	1	<u> </u>

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
ácottáli	veroi (s)	, tettori		days of Jan 27 and		
	]			every 180 days		
1				thereafter until		
	}			the system is fully		
				deployed and		
				operational.		
Sec. 8. Vis	sa Interview Security.	DOS	<u> </u>	<u> </u>		
8a	DOS	Suspend	Visa Interview Waiver	Immediately	Require in-person interview	
		'	Program		for all individuals seeking a	
			, ·		NIV, subject to statutory	
					exceptions	
8b	DOS	Expand	Consular Fellows Program		To extent permitted by law	
		'	İ		and by available	
		1		,	appropriations: substantially	
					increase the number of	
					fellows; lengthening or	
					making the period of service	
		}			permanent; make language	•
			1		services (FSI) available to	
					expand post options	
Sec. 9. Vi	sa Validity Reciprocity					–
1	DOS	Review and align	To the extent practicable,		As applies to validity period	
			ensure visa reciprocity		and fees, as required by	
			agreements for each visa		sections 221(c) and 281 of the	
			classification are truly		INA, 8 U.S.C. 1201(c) and	
			reciprocal. If not reciprocal,		1351, and other treatment	
			adjust the visa validity period,			
			fee schedule, or other			
			treatment to match the			
			treatment of United States			
		1	nationals by the foreign			
			country.	•		
Sec. 10. T	ransparency and Data	Collection	1			<u></u>
10a	DHS	Collect and Publish	Number of foreign nationals	Within 180 days	Data since the date of this	
		Information	in the United States who have	and every 180	order or the last reporting	
	In consultation with		been:	days thereafter	period, whichever is later	
	Attorney General		charged with terrorism-			
	transfer and		related offenses while in the			
			United States;			
			convicted of terrorism-			
			related offenses while in the			
			United States;			
			removed from the United			
	1	1	States based on terrorism-	<u> </u>	I	<u> </u>

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
			related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons • radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided			
			material support to terrorism-related organizations in countries that pose a threat to the United States • information regarding the number and types of acts of gender-based violence against women, including			
			honor killings,  any other information relevant to public safety and security, including information on the immigration status of foreign nationals charged with major offenses			
11b	005	Report	Estimated long term costs of USRAP at Federal, State and Local levels	Within <b>on</b> e year of Jan 27		

Page 3: [1] Comment [SLD2]	- <del>- 1</del>	Deshommes, Samantha L	100	1/29/2017 3:36:00 PM	L
	<del></del>	N=			لــ
Page 3: [2] Comment [SLD3]		Deshommes, Samantha L	<u>. )</u>	1/29/2017 3:11:00 PM	

(**b**)(5)

# Gillispie, Anna E

From:

Hamilton, Cristina A

Sent:

Sunday, January 29, 2017 1:58 PM

To:

Levine, Laurence D; Prelogar, Brandon B; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A;

Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject:

RE: Executive Order

That's very significant—is that from the news? How was/is that being officially conveyed to/within DHS?

Just so we're all on the same page, it's seven countries, as follows:

Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya.

Cristina Hamilton
Chief, National Security and
Benefits Integrity Division

Office of Policy and Strategy, USCIS

(b)(6)

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 2:39 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 1:19:08 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order		
Attached is the stay order from last night. I've also heard that mandamus actions regarding the EO holds may be coming our way.		
Larry Levine Acting Chief Office of Policy & Strategy U.S. Citizenship and Immigration Services  Department of Homeland Security		
(b)(6)		
From: Prelogar, Brandon B Sent: Sunday, January 29, 2017 1:11:27 PM To: Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order		
I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives.		
From: Anderson, Kathryn E  Sent: Sunday, January 29, 2017 7:51:47 AM  To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Qunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S  Subject: RE: Executive Order		
I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:		

- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
  - 2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

#### Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services
Department of Homeland Security

Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b))(65

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel

Chief, International Operations Division

U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

**To:** Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

(b)(5)

FYI. I think Andrew might be right in terms of what is meant but	

From: Davidson, Andrew J

Sent: Friday, January 27, 2017 12:37 PM

To: Renaud, Tracy L

Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L

Subject: Executive Order

Tracy,

It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person  We just need to clarify if by extension this applies to
our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.
Thanks,
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529  (b)(6)

# Gillispie, Anna E

From:

Hamilton, Cristina A

Sent:

Sunday, January 29, 2017 1:43 PM

To:

Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A;

Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

**RE: Executive Order** 

Ok, the way I plan to proceed, which I think is consistent with what you want, Larry, is that I will be going through the very helpful chart that Shannon provided, and filling in questions I have on the provisions in the column for Questions. So it's clear which division is raising the question I am going to edit the column to label it NSBI Questions. I'll send that to the entire group for visibility when completed-sometime this evening.

I'm assuming Natalie will then roll-up all the questions each of us submits-- weeding out duplicative questions-- into a master chart for OP&S. Larry, I recommend that you send to Jess for the use of D1/D2, (consistent with D1s request for consolidated questions from components—we weren't asked but they should be made aware of our questions). My understanding/recommendation is that our master chart will be posted to the OP&S ECN (and presumably regularly updated as needed), and used by us for discussions: internal to OP&S; with other components and USCIS or DHS leadership; and for inter-agency discussions.

Cristina Hamilton Chief, National Security and **Benefits Integrity Division** 

Office of Policy and Strategy, USCIS

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From: Levine, Laurence D

**Sent:** Saturday, January 28, 2017 8:28 PM

To: Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalle S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

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Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

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Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

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Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

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Thanks,

Shannen E. Slattery

iold Operations Directorate L.U.S. Citizenship and Immigration Services

(b)(6)

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**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

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Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

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To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

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Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

**Sent:** Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

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Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

(b)(6)

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Lori

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Cc: Renaud, Tracy L; McCament, James W

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Cc: Renaud, Tracy L.

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Daniel M. Renaud	
Associate Director, Field Operations Directorate	
Department of Homeland Security   U.S. Citizenship and Immigration Serv	vices
From: Scialabba, Lori L	
<b>Sent:</b> Friday, January 27, 2017 12:43 PM	
To: Higgins, Jennifer	
Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M	<b>(b)</b> (5)
Subject: FW: Executive Order	
FYI. I think Andrew might be right in terms of what is meant but	
_	
From: Davidson, Andrew J	
<b>Sent:</b> Friday, January 27, 2017 12:37 PM	·
To: Renaud, Tracy L	
Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L	
Subject: Executive Order	
Tracy,	
It is my understanding that POTUS will sign the "Protecting the Nat	ion from Terrorist Attacks by Foreign Nationals" order

\_

today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry

into the United States", once we grant an adjustment we "admit" that person.

(b))(5)

We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529

(b)(6)

#### Gillispie, Anna E

From:

Prelogar, Brandon B

Sent:

Sunday, January 29, 2017 12:11 PM

To:

Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

RE: Executive Order

I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives.

From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

(b)(5)

(c) To temporarily reduce investigative burdens on relevant agencies during the
review period described in subsection (a) of this section, to ensure the proper
review and maximum utilization of available resources for the screening of
foreign nationals, and to ensure that adequate standards are established to
prevent infiltration by foreign terrorists or criminals, pursuant to section
212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and
nonimmigrant entry into the United States of aliens from countries referred to in
section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the
interests of the United States, and I hereby suspend entry into the United
States, as immigrants and nonimmigrants, of such persons for 90 days from the
date of this order (excluding those foreign nationals traveling on diplomatic
visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the
United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathry	n And	lerson
13416111		

Acting Chief, International and Humanitarian Affairs Division Office of Policy and Strategy, U.S. Citizenship and Immigration Services

<u>Department of Homeland S</u>	security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security
(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beverldge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshornmes
Chief, Regulatory Coordination Division
USCIS. Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

**Subject:** FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel

Chief, International Operations Division U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order	
I think that's o.k. and going forward don't schedule these for interviews.	·
From: Renaud, Daniel M Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order	•
If we can define "suspend processing" as "suspend prior to approval", then one optic interviews, since it is likely we have some that are scheduled as soon as Monday for a the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to se interviews scheduled for individuals from affected countries. We should have that so	affected applicants and then hold se when and where we have
Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Services	
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	( <b>b</b> ))(5)
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Тгасу,	

It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry" (b) (5)

into the United States", once we grant an adjustment we "admit" that person

We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

**Andrew Davidson** 

Acting Deputy Associate Director	
Fraud Detection and National Security	Directorate
U.S. Citizenship and Immigration Servi	ces
U.S. Department of Homeland Security	į
111 Massachusetts Avenue, NW	
Washington, DC 20529	
	( <b>b</b> )( <b>6</b> )

## Gillispie, Anna E

From:

Hamilton, Cristina A

Sent:

Sunday, January 29, 2017 8:15 PM

To:

Levine, Laurence D; Deshommes, Samantha L; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

RE: Executive Order

DHS HQ has been busy with press releases today on the EO. See link below to the DHS.gov site for the 4 press releases issued today.

https://www.dhs.gov/news-releases

Cristina Hamilton
Chief, National Security and
Benefits Integrity Division
Office of Policy and Strategy, USCIS

(b)(6)

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 4:04 PM

**To:** Deshommes, Samantha L; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam - there's some other chain that Tammy was on.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Sunday, January 29, 2017 3:58:09 PM

To: Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna);

Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

RCD's questions, timing guidance, etc. is attached.

Forms/PRA: In short, form changes can be accomplished via an emergency approval action, which in comparison with the normal process is quicker, but requires a duplicate action. OMB approval under emergency approval is only valid for 6 months so we'd have to restart the normal process (60- and 30-day Notices) immediately. The speed with which we can submit such actions to OMB depend on the speed with which legal guidance is provided to allow for firm decisions on form changes, additional form questions, etc.; the speed with which OIDP can provide the amended form instruments; and the speed with which IT and OIDP can schedule the revised forms for intake.

Regs: I think the most appropriate timeline to use is the average time it took for us to draft and publish EA-related rulemakings (approx. 12-16 months for drafting, clearing publishing the NPRM, and approx. 6-8 months to consider comments, draft, clear, and publish the final rule). Notice that I didn't opine on the effective date of the reg (which, usually is 30-60 days from the date the final rule publishes). However, the effective date is most dependent on the needs of IT and OIDP schedules.

Additional questions and comments are provided in the attached. Btw, under the assumption this will be posted on the OP&S ECN, I shortened the filename.

Larry: Just a suggestion...Many of the directives in the EO (uniform identify verification) may require new regs and/or workload for both FDNS and IRIS, and I noticed that IRIS wasn't looped in on the email chain forward from Dan. Maybe you should reach out to Tammy to give her a heads-up. Just a suggestion...

Sam

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy



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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 3:31 PM

**To:** Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I defer to you all for all counting matters - I'm glad you all picked it up; I don't know why 6 was stuck in my head.

Larry Levine Acting Chief Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 3:28:37 PM

**To:** Levine, Laurence D; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Not to be a stickler for details, but isn't it 7 countries?

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 2:39 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 1:19:08 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Attached is the stay or coming our way.	order from last night. I've also heard that mandamus actions regarding the EO holds may be
Larry Levine	
Acting Chief Office of Policy & Str	
Office of Policy & Str	<del>= '</del>
U.S. Citizenship and I	
Department of Homel	and Security
	( <b>b</b> ))(6)
	· · · · · · · · · · · · · · · · · · ·
(Jenna); Dunn, Maureen Rigdon, Jerry L; Silwany <b>Subject:</b> RE: Executive I'd only add re: resciss existing exemptions to about entry vs admissi	29, 2017 1:11:27 PM E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L n A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Clro A; Phillips, Mark; Rather, Michael B; y, Oscar Y; Tynan, Natalie S e Order  sion of TRIG exemptions that nothing in the EO prevents the continued application of the to TRIG cases while that consideration process takes place. Similar to Kathryn's point sion, while I understand the desire to make sure we are not moving forward on cases we ng, we should also be careful not to over-read the EO's directives.
<b>Sent:</b> Sunday, January 1. <b>To:</b> Cummings, Kevin J;	29, 2017 7:51:47 AM; ; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; ee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Y; Tynan, Natalie S
I'll look more closely at things:	the chart, but upon first glance and after reading the chain below, I wanted to raise a couple (b))(3

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of

foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn Anderson Acting Chief, International and Humanitarian Aff Office of Policy and Strategy, U.S. Citizenship an Department of Homeland Security	
	( <b>b</b> ))(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes

Chief, Regulatory Coordination Division

USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks.

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Stattery

Field Operations Directorate 1.11.S. Citizenship and Immigration Services

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde	
DHS USCIS	
Field Operations Director	rate, Deputy Associate Director
	( <b>b</b> ))(6)
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From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

**Subject:** FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

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To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

**Subject:** RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

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Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of

nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.
From: Scialabba, Lori L Sent: Friday, January 27, 2017 5:59:36 PM To: Renaud, Danlel M; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order
I think that's o.k. and going forward don't schedule these for interviews.
From: Renaud, Daniel M Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order
If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.
Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Services
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order
FYI. I think Andrew might be right in terms of what is meant but
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person

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We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529

(b)(6)

### Gillispie, Anna E

From:

Rigdon, Jerry L

Sent:

Sunday, January 29, 2017 10:58 AM

To:

Levine, Laurence D; Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather,

Michael B; Silwany, Oscar Y

Subject:

FW: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY

INTO THE UNITED STATES - Service Center Instructions

Here is what Don sent.

Jerry Rigdon
Deputy Chief, Regulatory Coordination Division
Office of Policy and Strategy
USCIS Headquarters

(b)(6)

From: Neufeld, Donald W

Sent: Saturday, January 28, 2017 11:34:34 AM

**To:** Baran, Kathy A; Campagnolo, Donna P; Crandall, Kristine R; Hazuda, Mark J; McCament, James W; Nolan, Connie L; Richardson, Gregory A; Selby, Cara M (Carrie); Thompson, Kirt; Velarde, Barbara Q; Zuchowski, Laura B; Tamanaha, Emisa T

Cc: Arroyo, Susan K; Bacote, Robert R (Bob); Byrne, Marie L (Louise); Cox, Sophia; Dougherty, Linda M; Douglas, Richard C; Doumani, Stephanie M; Fortes, Michael J; Hartmann, Rosemary M; Hope, Leslie K; Hutchings, Pamela G; Kane, Daniel J; King, Alexander R; La Bella, Magteld H; McCament, James W; McConnell, James E; Moran, Karla; Neufeld, Donald W; Padilla, April Y; Peck, Denis R; Sabga, George M; Thomas, Ronnie D; Watson, Dorcas B (Benita)

Subject: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES - Service Center Instructions

Center Directors and Deputies,

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry immigrants and nonimmigrants who are from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

While we await further guidance, we must temporarily suspend adjudication of all applications, petitions or requests involving citizens or nationals of the listed countries. At this point there are no exceptions for any form types, to include I-90s or I-765s. Please physically segregate any files that are impacted by this temporary hold pending further guidance. As you would expect, we will be developing a weekly report format for you to identify the number and types of cases on hold.

We expect to issue more detailed guidance and procedures in the coming days.

Please ensure this guidance is conveyed as soon as possible to all appropriate employees and get back to us with any questions. Also, please reply to let me know each center has received this message.

Thanks,

Don

Gillispie, Anna E	
From:	Ruppel, Joanna
Sent: To:	Sunday, January 29, 2017 10:31 AM  Valverde, Michael; Levine, Laurence D; Groom, Molly M; Neufeld, Donald W; Walters
	Jessica S; Renaud, Daniel M
lc:	Young, Todd P; Slattery, Shannon E; Walters, Jessica S; Nicholson, Maura J RE: Executive Order
Subject:	RE. Executive Order
O is still seeking clarifica	ation on some things (was hoping to get today), but likely will do same.
oanna	
oanna Ruppel	
Acting Associate Directo	
JSCI\$ Refugee, Asylum a	and International Operations
	( <b>b</b> )( <b>6</b> )
Cc: Ruppel, Joanna; You Subject: RE: Executive	Groom, Molly M; Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M ung, Todd P; Slattery, Shannon E; Walters, Jessica S
Michael Valverde	
DHS USCIS Field Operations Direc	ctorate, Deputy Associate Director
reta Operations Direc	7 ' ' '
	(b))(6)
	29, 2017 11:24:57 AM ufeld, Donald W; Walters, Jessica S; Renaud, Daniel M ung, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S
Has anything gone out	to our field folks at this point about pendings?
Larry Levine	

Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

.....

From: Groom, Molly M

Sent: Saturday, January 28, 2017 9:21:08 PM

To: Levine, Laurence D; Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M

(b)(6)

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

Trying to get best information.

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 9:20:37 PM

To: Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Groom, Molly M; Walters, Jessica S

Subject: RE: Executive Order

Reuters is reporting that the stay covers holders of valid IV and NIVs and arriving refugees

Larry Levine Acting Chief

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 9:08:36 PM

To: Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Groom, Molly M; Walters, Jessica S

Subject: RE: Executive Order

I've only seen this on Twitter, but it looks like a judge in EDNY has granted a nationwide stay of the refugee EO. I haven't been able to nail down a copy of the actual order, so I have no actual details. Anyone else hear anything?

Larry Levine

Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Neufeld, Donald W

**Sent:** Saturday, January 28, 2017 12:54:08 PM **To:** Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D; Groom, Molly M;

Walters, Jessica S

Subject: RE: Executive Order

Yes, thanks. I've shared with my folks too.

From: Walters, Jessica S

Sent: Saturday, January 28, 2017 12:41:04 PM

To: Renaud, Daniel M

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M; Walters, Jessica S **Subject:** RE: Executive Order

Thanks very much.

Jessica S. Walters

Senior Advisor

Office of the USCIS Deputy Director
U.S. Citizenship and Immigration Services

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(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:16 AM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D; Groom,

Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

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#### Subject: RE: Executive Order

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Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

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DHS USCIS
Field Operations Directorate, Deputy Associate Director

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Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services

#### Department of Homeland Security

From: Renaud, Tracy L

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Matthew D

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US Citizenship & Immigration Services
Department of Homeland Security

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Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

(b)(6)

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Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and

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Lori

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Cc: Renaud, Tracy L; McCament, James W

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Subject: RE: Executive Order

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Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jenniser

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

(b)(5)

FYI. I think Andrew might be right in terms of what is meant but	

From: Davidson, Andrew J

Sent: Friday, January 27, 2017 12:37 PM

To: Renaud, Tracy L

Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L

Subject: Executive Order

Tracy,

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Thanks,

Andrew Davidson
Acting Deputy Associate Director

Fraud Detection and National Security Directorate

U.S. Citizenship and Immigration Services

U.S. Department of Homeland Security

111 Massachusetts Avenue, NW

Washington, DC 20529

(b)(66

# Gillispie, Anna E

From:

Valverde, Michael

Sent:

Sunday, January 29, 2017 10:29 AM

To:

Levine, Laurence D; Groom, Molly M; Neufeld, Donald W; Walters, Jessica S; Renaud,

Daniel M

Cc:

Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Walters, Jessica S

Subject:

RE: Executive Order

Yes. We've got just about everything on hold (meaning no final decisions) from the countries until we give further guidance.

Michael Valverde

**DHS USCIS** 

Field Operations Directorate, Deputy Associate Director

(b)(6)

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Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

Has anything gone out to our field folks at this point about pendings?

Larry Levine

Acting Chief

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

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Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

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Groom, Molly M; Walters, Jessica S
Subject: RE: Executive Order

Thanks very much.

Jessica S. Walters Senior Advisor

Office of the USCIS Deputy Director

U.S. Citizenship and Immigration Services

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From: Renaud, Daniel M

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To: Walters, Jessica S

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Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

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Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

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I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

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Shannon E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

This email and any attachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or

protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

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DHS USCIS
Field Operations Directorate, Deputy Associate Director

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Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

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Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
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Matthew D

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Acting Deputy Director
US Citizenship & Immigration Services

Department of Homeland Security

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We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

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Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

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Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

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Lori

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Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

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(b)(5)

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**ILS** Citizenship and Immigration Services

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Sunday, January 29, 2017 9:48 AM

To:

Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L;

Silwany, Oscar Y

Subject:

RE: Executive Order

I saw that FOD sent out guidance to the field yesterday indicating that no final action can be taken on any petition or application for a citizen or national of one of the 7 countries, pending further guidance to come. Processing and interviewing can continue, but the case is to be placed on hold before a final decision is made. NPR seems to have picked up on this and reported it. I'm not sure whether SCOPS has issued any guidance. Has anyone seen?

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beverldge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Phillips, Mark

Sent: Sunday, January 29, 2017 9:25:20 AM

**To:** Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar,

Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 8:58:25 AM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

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Sent: Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

(b)(5)

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

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Acting Chief, International and Humanitarian Affairs Division Office of Policy and Strategy, U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

To: Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

---Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division **USCIS** Office of Policy and Strategy Department of Homeland Security

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Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine Acting Chief Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

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Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

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Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Sluttery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde

#### DHS USCIS

Field Operations Directorate, Deputy Associate Director

. (b)(6)

(10))

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud

Associate Director | Field Operations Directorate

U.S. Citizenship and Immigration Services

Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenshin and Immigration Services

(b)(6)

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Danlel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order  (b)(5)
FYI. I think Andrew might be right in terms of what is meant but
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person.  We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications
on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.
Thanks,
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529

# Gillispie, Anna E

From:

Tynan, Natalie S

Sent:

Sunday, January 29, 2017 9:04 AM

To:

Cummings, Kevin J; Parascandola, Ciro A; Levine, Laurence D

Subject:

**RE: Executive Order** 

I agree guys. The major questions that come to mind are legal and operational. We should be prepared to put some of them forward, but from a policy perspective we are gong to have to wait for that guidance before we know what direction to take.

Having said that, it is worth looking at forms because I am sure we will have to make revisions to include vetting questions such as social media. Again though, the vetting aimed at national interest and benefit to this country change the adjudication of petitions.

I appreciate your thoughts so please share as things come up! Clearly this is fluid.

N

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 9:57:36 AM **To:** Parascandola, Ciro A; Levine, Laurence D

Cc: Tynan, Natalie S

Subject: RE: Executive Order

I completely agree. Legal decisions/interpretations are key at the outset.

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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From: Parascandola, Ciro A

Sent: Sunday, January 29, 2017 9:57 AM

To: Levine, Laurence D

Cc: Cummings, Kevin J; Tynan, Natalie S

Subject: RE: Executive Order

Nat,

Kevin and I will might send you a few follow on notes on this, but my question from the EB side is that, while they want to suspend entry of these individuals for the time being, do they also intend for us to hold onto any requests for extensions of stay until the enhanced vetting procedures are in place? The text says "entry" but it's in the section explaining the need to review procedures prior to any benefit being granted. We will send you

anything else we can come up with. There is nothing really to state from a strict policy sense, but obviously OCC, SCOPS, the FO et al will like have the same questions regarding exactly what these provisions mean. We have these political advisors on board. They should reach out through their people to the WH to get clarification.

Kevin, you agree?

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**Sent:** Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

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Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

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#### Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division Office of Policy and Strategy, U.S. Citizenship and Immigration Services

Department	of	<u>Homeland</u>	Security

(b)(6)

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Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Sent: Saturday, January 28, 2017 11:18:11 PM

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Chief, Regulatory Coordination Division
LISCIS Office of Policy & Strategy

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Office of Policy & Strategy
U.S. Citizenship and Immigration Services

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Co: Farnam, Julia Et Kundok, Licotta E

Cc: Farnam, Julie E; Kvortek, Lisette E

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Thanks,

Shannon E. Slattery

Field Operations Directorate J. U.S. Citizenship and Immigration Services

(b)(6

This email and any attachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Hameland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

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We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna Ruppel Chief, International Operations D	ivision
U.S. Citizenship and Immigration	Services
	. (b))(@

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Cc: Renaud, Tracy L; McCament, James W

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And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

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Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

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Sent: Friday, January 27, 2017 8:00 PM

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Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

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Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

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To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

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Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	<b>(b)</b> (5)
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM	
To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	
It is my understanding that POTUS will sign the "Protecting the Nation today at 4:30pm. In complying with the EA I believe we need immediately suspension of processing immigrants and non-immigrants from the extends to processing of permanent resident applications. Though the into the United States", once we grant an adjustment we "admit" that	ate clarification in Section 3 (c) relative to the 30 the designated countries of interest and if this (b)(e EA states "immigrant and non-immigrant entry
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Thanks,	
Andrew Davidson Acting Deputy Associate Director	
Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security	
111 Massachusetts Avenue, NW Washington, DC 20529	
(b)(6)	

To: Higgins, Jennifer

### Gillispie, Anna E

From:

Ruppel, Joanna

Sent:

Sunday, January 29, 2017 10:54 AM

To:

Neufeld, Donald W; Renaud, Daniel M; Levine, Laurence D; Groom, Molly M; Walters,

Jessica S

Cc:

Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S; Lafferty, John

L; Strack, Barbara L; Stone, Mary M; Nicholson, Maura J

Subject:

RE: Executive Order

Asylum has notified field leadership that they should arrange to stop any decision-issuance to asylum applicants from the listed countries until they are instructed otherwise. They also told leadership to review their upcoming schedules and prepare to cancel any interviews for nationals from the listed countries. They were told not to actually begin cancelling the interviews until they received further guidance from HQ.

IO is working with front office on guidance for international staff and ongoing refugee interviews. We have greenlight for refugee interviews in Vienna to continue tomorrow.

#### Joanna

Joanna Ruppel

**Acting Associate Director** 

USCIS Refugee, Asylum and International Operations

(b)(6)

From: Neufeld, Donald W

Sent: Sunday, January 29, 2017 11:52 AM

To: Renaud, Daniel M; Levine, Laurence D; Groom, Molly M; Walters, Jessica S

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

Same here Larry. We have put a full stop on everything involving the 7 countries at the centers pending further guidance.

From: Renaud, Daniel M

Sent: Sunday, January 29, 2017 11:40:01 AM

To: Levine, Laurence D; Groom, Molly M; Neufeld, Donald W; Walters, Jessica S

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

As of right now, we are holding all applications and petitions from led by individuals from the 7 countries. We did let an N-400 ceremony and an N-600 ceremony go forward yesterday.

We expect today to put out general guidance that the EO does not impact citizenship cases. DHS is reviewing the language. Everything else is on hold.

From: Levine, Laurence D Sent: Sunday, January 29, 2017 11:24:57 AM To: Groom, Molly M; Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S Subject: RE: Executive Order Has anything gone out to our field folks at this point about pendings? Larry Levine Acting Chief Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security (b)(6) From: Groom, Molly M **Sent:** Saturday, January 28, 2017 9:21:08 PM To: Levine, Laurence D; Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S Subject: RE: Executive Order Trying to get best information. From: Levine, Laurence D **Sent:** Saturday, January 28, 2017 9:20:37 PM To: Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Groom, Molly M; Walters, Jessica S

Subject: RE: Executive Order

Reuters is reporting that the stay covers holders of valid IV and NIVs and arriving refugees

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

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Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Groom, Molly M; Walters, Jessica S

Subject: RE: Executive Order

I've only seen this on Twitter, but it looks like a judge in EDNY has granted a nationwide stay of the refugee EO. I haven't been able to nail down a copy of the actual order, so I have no actual details. Anyone else hear anything?

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Neufeld, Donald W

**Sent:** Saturday, January 28, 2017 12:54:08 PM

**(b)**(6) -

To: Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D; Groom, Molly M;

Walters, Jessica S

Subject: RE: Executive Order

Yes, thanks. I've shared with my folks too.

From: Walters, Jessica S

Sent: Saturday, January 28, 2017 12:41:04 PM

To: Renaud, Daniel M

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M; Walters, Jessica S

Subject: RE: Executive Order

Thanks very much.

Jessica S. Walters Senior Advisor

Office of the USCIS Deputy Director

and Immigration Services

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:16 AM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D; Groom,

Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

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Daniel M. Renaud

Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

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Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

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Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b))(69)

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Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

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Subject: FW: Executive Order

(b)(5)

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From: Davidson, Andrew J

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To: Renaud, Tracy L

Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L

Subject: Executive Order

Tracy,

It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person

We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

(b))(5

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529

(b)(6)

## Gillispie, Anna E

From:

Neufeld, Donald W

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Sunday, January 29, 2017 10:52 AM

To: Cc: Renaud, Daniel M; Levine, Laurence D; Groom, Molly M; Walters, Jessica S

Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica

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Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

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Office of Policy & Strategy
U.S. Citizenship and Immigration Services
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Jessica S. Walters
Senior Advisor
Office of the USCIS Deputy Director
U.S. Citizenship and Immigration Services

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Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. I.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

This email and any attachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

Sent: Saturday, January 28, 2017 11:42 AM To: Renaud, Daniel M; Kvortek, Lisette E Cc: Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde

**DHS USCIS** 

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud

Associate Director | Field Operations Directorate

U.S. Citizenship and Immigration Services

Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J; Emrich,

Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of

whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immir

US Citizenship & Immigration Services

Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J; Emrich,

Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel Chief, International Operations Division

U.S. Citizenship and Immigration Services

(b)(6)

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To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J; Emrich,

Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L; Davidson,

Andrew J; Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W ...

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

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Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

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abroad. I'll ask.

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Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 5:59:36 PM To: Renaud, Daniel M; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security   U.S. Citizenship and Immigratio	n Services
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Ce: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	( <b>b</b> ))(5)
EVI I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J	
Sent: Friday, January 27, 2017 12:37 PM	
To: Renaud, Tracy L Ce: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L	
Subject: Executive Order	
Tracy,	•
It is my understanding that POTUS will sign the "Protecting the Nati 4:30pm. In complying with the EA I believe we need immediate clar of processing immigrants and non-immigrants from the designated of resident applications. Though the EA states "immigrant and non-imm	rification in Section 3 (c) relative to the 30 day suspension countries of interest and if this extends to processing of permanent
we "admit" that person.  We just need to clarify if by extension this applies to our product line	es. If this is the case then Don and Dan will need to get guidance
to the Field to put these adjudications on hold. Other than the refuged the most urgent clarification we need relative to the EAs.	e suspension that appears fully deployed on our end this appears (b)
Thanks,	
Andrew Davidson	
Acting Deputy Associate Director	
Fraud Detection and National Security Directorate	·

U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington DC 20529

(b)(6)

## Gillispie, Anna E

From:

Renaud; Daniel M

Sent:

Sunday, January 29, 2017 10:40 AM

To:

Levine, Laurence D; Groom, Molly M; Neufeld, Donald W; Walters, Jessica S

Cc:

Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica

S

Subject:

RE: Executive Order

As of right now, we are holding all applications and petitions from led by individuals from the 7 countries. We did let an N-400 ceremony and an N-600 ceremony go forward yesterday.

We expect today to put out general guidance that the EO does not impact citizenship cases. DHS is reviewing the language. Everything else is on hold.

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 11:24:57 AM

To: Groom, Molly M; Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

Has anything gone out to our field folks at this point about pendings?

Larry Levine

Acting Chief

Office of Policy & Strategy-

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Groom, Molly M

Sent: Saturday, January 28, 2017 9:21:08 PM

To: Levine, Laurence D; Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

Trying to get best information.

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 9:20:37 PM

To: Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Groom, Molly M; Walters, Jessica S **Subject:** RE: Executive Order Reuters is reporting that the stay covers holders of valid IV and NIVs and arriving refugees . Larry Levine **Acting Chief** Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security (b)(6) From: Levine, Laurence D Sent: Saturday, January 28, 2017 9:08:36 PM To: Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Groom, Molly M; Walters, Jessica S Subject: RE: Executive Order I've only seen this on Twitter, but it looks like a judge in EDNY has granted a nationwide stay of the refugee EO. I haven't been able to nail down a copy of the actual order, so I have no actual details. Anyone else hear anything? Larry Levine Acting Chief Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security (b)(6) From: Neufeld, Donald W Sent: Saturday, January 28, 2017 12:54:08 PM

To: Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D; Groom, Molly M;

Walters, Jessica S

**Subject:** RE: Executive Order

Yes, thanks. I've shared with my folks too.

From: Walters, Jessica S

**Sent:** Saturday, January 28, 2017 12:41:04 PM

To: Renaud, Daniel M

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M; Walters, Jessica S **Subject:** RE: Executive Order

Thanks very much.

Jessica S. Walters
Senior Advisor
Office of the USCIS Deputy Director
U.S. Citizenship and Immigration Services

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:16 AM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D; Groom,

Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

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Thanks,

Shannon E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b))(66)

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Field Operations Directorate, Deputy Associate Director

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Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

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Matthew D

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Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

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(b)(66)

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Joanna Ruppel	
Chief, International Operations Division	
U.S. Citizenship and Immigration Services	_
	7

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#### Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

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Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

**(b)**(5)

FYI.	I think Andrey	might be right in	terms of what is meant but
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	<b>(b)</b> ((5)
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Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
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Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529	
	(b))(6)

## Gillispie, Anna E

From:

Anderson, Kathryn E

Sent:

Sunday, January 29, 2017 10:38 AM

To:

Levine, Laurence D; Cummings, Kevin J; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L;

Silwany, Oscar Y

Subject:

RE: Executive Order

Guidance FOD sent out below:

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:12 AM

**To:** Cowan, Robert M; Looney, Robert V; Muzyka, Carolyn L; Pietropaoli, Lori A; Redman, Kathy A; Gallagher, Kevin E; Goodwin, Shelley M; Robinson, Terri A; Tierney, Therese A; Woo, Ellen Y; FOD-DDs-DDs-COS; FOD-FODs

Cc: Dominguez, Kathleen P; Upchurch, Evelyn M; Kendrick, Rose M; Quimby, Christopher M (Chris); Rinehart, Brett R; Sapko, Jeffrey M; Spencer, Julie C; Young, Claudia F; Valverde, Michael; Neufeld, Donald W; Kvortek, Lisette E; Farnam, Julie E; Slattery, Shannon E; Renaud, Tracy L; Davidson, Andrew J; Scialabba, Lori L

Subject: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES -

Field Operations Instructions

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry immigrants and nonimmigrants who are from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

Effectively immediately and until additional guidance is received, you may not take final action on any petition or application where the applicant is a citizen or national of Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. Field offices may interview applicants for adjustment of status and other benefits according to current processing guidance and may process petitions and applications for individuals from these countries up to the point where a decision would be made. At that point, cases shall be placed on hold until further notice and will be shelved with specific NFTS codes which will be provided through the Regional Offices. Offices are not permitted make any final decision on affected cases to include approval, denial, withdrawal, or revocation.

Please look for additional guidance later this weekend on how to process naturalization applicants from one of the seven countries listed above who are currently scheduled for oath ceremony or whose N-400s have been approved and they are pending scheduling of oath ceremony.

We expect to issue more detailed guidance and procedures as needed in the coming days. Questions or requests for additional clarification may be directed to the Regional Offices through your chain of command.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security From: Levine, Laurence D

Sent: Sunday, January 29, 2017 11:26 AM

**To:** Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Just asked - I'll keep you posted

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 11:19:35 AM

To: Anderson, Kathryn E; Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Sllwany, Oscar Y

Subject: RE: Executive Order

I have not seen anything, although Don Neufeld alluded to guidance that he could send out sometime today. Larry, could you check with Don?

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

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Sent: Sunday, January 29, 2017 10:48 AM

**To:** Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

I saw that FOD sent out guidance to the field yesterday indicating that no final action can be taken on any petition or application for a citizen or national of one of the 7 countries, pending further guidance to come. Processing and interviewing can continue, but the case is to be placed on hold before a final decision is made.

NPR seems to have picked up on this and reported it. I'm not sure whether SCOPS has issued any guidance. Has anyone seen?

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Phillips, Mark

**Sent:** Sunday, January 29, 2017 9:25:20 AM

**To:** Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar,

Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 8:58:25 AM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S  Subject: RE: Executive Order
I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:  (b)(5)
(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.
Kathryn
Kathryn Anderson Acting Chief, International and Humanitarian Affairs Division Office of Policy and Strategy, U.S. Citizenship and Immigration Services Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes Chief, Regulatory Coordination Division

# USCIS. Office of Policy & Strategy (b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M

Cc: Farnam, Julie E; Kvortek, Lisette E Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shunnon E. Slattery

Field Operations Directorate 1 U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

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Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

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- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud Acting Deputy Director US Citizenship & Immigration Services Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

# Joanna Ruppel

Chief, International Operations Division

U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan. Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

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To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

**Subject:** RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L.

**Sent:** Friday, January 27, 2017 5:59:36 PM • **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

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Subject: RE: Executive Order

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Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J	
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Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	
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Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington. DC 20529	
(b))(6)	

## Gillispie, Anna E

To:

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34 AM

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Vaiverde,

Michael; Levine, Laurence D; Groom, Molly M

**Subject:** FW: Executive Order

Attachments: Executive Order PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO

THE UNITED STATES - 01272017.docx

Walters, Jessica S ————

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DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

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US Citizenship & Immigration Services
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Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

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Tracy,

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clarification we need relative to the EAs.

(b)(5)

THORINS,
Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529

(**b**)(6)

#### Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

POLICY: It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

#### **GENERAL OBJECTIVES:**

- Be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they
  have no ties to terrorism.
- Ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles
- We cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law
- We should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation

Date
2/26
3/28
4/27
5/7
5/27
7/26
<b>8</b> /15

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
Section 3	: Suspension of Issu	ance of Visas a	nd Other Immigration Benefits to	Nationals of (	ountries of Particula	ir Concern
3a	DHS	Review	Determine information	Immediate		
			needed from any country to			
	In consultation with		adjudicate any visa, admission		-	
	DOS/DNI		or benefit under the INA in			
			order to determine that the			
			individual seeking the benefit			
			is who the individual claims to	1		ł
	}		be and is not a security or			i
			public safety threat.			

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
3b	DHS	Report	Information identified in review under 3a	30 days from Jan 27	Report to President Copy to DOS/DNI	
3c	DHS/DOS	Suspend	Admission of immigrants and nonimmigrants from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya	For 90 days from Jan 27	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130,?  2. Should we deschedule oath ceremonies for individuals from the 7?  3. How do we handle N-400s 120+ days from interview?  4. Should we stop RFEs?  5. Should we stop scheduling interviews?  6. What about change of status from other NIV categories to NATO visas, C-2 travel visas (UN) andG-1, G-2, G-3, and G-4 visas?  7. What about change of status for NIVs for these countries?
3d	DOS	Request	Secretary shall request all	Immediately	Foreign governments will be	
			foreign governments that do not supply information identified in 3a review to provide such information.	following report in 3b	given 60 days to begin providing information	
3e	In consultation with DOS	Recommendation	Recommend countries whose foreign nationals would be prohibited entry to the United States due to the country's failure to provide information requested by the U.S. as described in 3d	After 60 day period outlined in 3d	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	
3g"					*Exception:  DHS and DOS may on a case-by-case and when in national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.	
3f	DHS or DOS	Recommendation	Add countries to list of those whose nationals are prohibited from entering the U.S. due to failure to provide information as requested by the U.S. (3d)	After submission of List Indefinite		
3h	DHS and DOS	Joint Report	Report progress implementing Order	30 days 60 days		

(**b**)(5)



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Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments		
				90 days			!	
			(	120 days From Jan 27				
		t C	lauda fau All Innestrume Dans		<u> </u>	in the second se	/	
	<del> </del>	<del></del>	ards for All Immigrant Pro			<u></u>	1	
4a	DHS/DOS/DNI/FBI	Implement Program	To identify individuals	Initial progress		<ol> <li>Do we need to take any actions prior to the "plan" described in section four being</li> </ol>		
		as part of	seeking to enter US on a	report due within		developed and implemented?		
l		adjudications process to include	fraudulent basis with intent	60 days of Jan 27		Who is responsible for developing the		
ł		development of:	to cause harm, or who are at risk of causing harm			plan?		
		development of.	subsequent to admission.			Might this functionality [database to		
			addregative to admission			collect identity documents] already exist		
1		Uniform screening				and be implemented?		
		standard and				Would these [amended application forms]     be internal worksheets and not OMB		
		procedure, such as				cleared changes to existing forms!		
		interviews				5. [Regarding mechanism to ensure		
ł					1	applicant's claimed identity] Beyond	1	
		Database	Capture identity     documents proffered by			existing measures/capabilities? Enhanced	1	
			applicants and prevent			data share?	'	
			duplicate documents from	,				
			being used by multiple	<b>'</b>				
			applicants					
		Amended	To add questions aimed at					
		Application Forms	identifying fraudulent					
			answers and malicious					
<b>,</b>			intent	<del></del>				
		Mechanism	To ensure applicant is who				1	
		- MCCHAINSHI	the applicant claims to be				1	
			and the second second second	1			'	
1		<ul> <li>Process</li> </ul>	To evaluate the applicant's					
			likelihood of becoming a					
			positively contributing					
			member of society and the					
			applicant's ability to make					
			contributions to the national interest	1				
			HERMANDS STREET					
				1				
		Mechanism	To assess whether or not					
			the applicant has the intent					
			to commit criminal or					
			terrorist acts after entering					
<u> </u>			the U.S.	<u> </u>	<u> </u>		]	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
4b	DHS/DOS/DNI/FBi	Report	Report progress of initiatives under 4a	Within 60 days, 100 days, 200 days of Jan 27	Report to President	
Sec. 5. Re	alignment of the U.S.	Refugee Admissions Pr	ogram for Fiscal Year 2017.	,		1 (A) (B)
5a	DOS	Suspend the USRAP program		For 120 days from Jan 27		
5a	DOS In consultation with DHS/DNI	Review	Review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States	Within 120 days of Jan 27		
5a	DOS in consultation with DHS/DN\$	Implement	Implement procedures identified during review	Within 120 days of Jan 27	Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures.	
5a	DOS	Resume USRAP		120 days after order	Limited to nationals of countries for which the DHS/DOS/DNI have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States	
5b	In consultation with DHS	Prioritize Refugee Claims	Prioritize claims made by individuals on the basis of religious-based persecution.		Individual's religion must be a minority religion in the individual's country of nationality.	
5b	DOS/DHS	Recommend Legislation	To support prioritization of refugee claims as noted immediately above.			
Sc Se Exception	President	Suspend admission of Syrian refugees		Until the president determines sufficient changes have been made to USRAP to ensure admission of Syrian Refugees is consistent with the national Interest.	Exception:  DHS/DOS have discretion to jointly determine to admit individuals to the United States as refugees on a case-by-case basis only so long as they determine that the admission of such individuals as refugees is in the national interest — including when the person is a religious minority in his country of nationality	

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
	1				facing religious persecution,	
					when admitting the person	
					would enable the United	
					States to conform its conduct	
					to a preexisting international	
					agreement, or when the	
				ļ	person is already in transit	
					and denying admission would	
					cause undue hardship — and it would not pose a risk to the	
					security or welfare of the	
					United States.	
	<u> </u>	 		T		
Sd	President	Limit refugee admissions to 50,000		Until such time as the president		
	İ	in FY 2017		determines that		
	1	11111 2017		additional		
	;			admissions would		
				be in the national		
_				interest		
Sf	DOS	Report	Progress of prioritization of	Within 100 days		
			daims under 5(b)	and	1	
T		<del>                                     </del>		200 days of Jan 27		
5g	DHS	Determine based on	Extent to which state and			
	Ì	existing law	local jurisdictions may have greater involvement in the			
			process of determining the			
	1		placement or resettlement of			
			refugees in their jurisdictions			
5g	DHS	Propose	Plan to involve state/local			
•			jurisdictions in refugee			
			resettlement process			
Sec. 6. Re		Authority Relating to t	he Terrorism Grounds of Inad	lmissibility		
6a	DOS/DHS	Review and consider	Authorities under INA 212 (8	Undefined		Should we adjudicate cases in TRIG     hold? It doesn't seem like exemptions are
	In consultation with	rescinding	USC 1182) relating to TRIG and related memoranda			forthcoming
	AG		and idiated Westoranda			To an a control of the control of th
\$ec. 7. E		f the Biometric Entry-E	kit Tracking System.	·		May 1
7a	DHS	Expedite completion			Recommended by the	
		and implementation			National Commission on	
		of a biometric entry-			Terrorist Attacks Upon the	
		exit tracking system			United States	
		for all travelers to the				
7h	DHS	United States	Ocomore on diseastive in 7-	Mishi- 100 Jan-		<u> </u>
7b	UND	Report	Progress on directive in 7a	Within 100 days 200 days and 365		
		<u> </u>	<u>L</u>	700 maks gud 202	1	<u> </u>

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
, decenon	Netorial	Action	14.5030	days of Jan 27 and	10111	
				évery 180 days		
				thereafter until		
				the system is fully		
				deployed and		
			•	operational.		
				aperouone		
Sec. B. Vis	a Interview Security.	DOS				· · · ·
8a	DOS	Suspend	Visa Interview Waiver	Immediately	Require In-person interview	
			Program		for all individuals seeking a	
					NIV, subject to statutory	
					exceptions	
8b	DOS	Expand	Consular Fellows Program		To extent permitted by law	
		{			and by available	
			1		appropriations: substantially	
				1	increase the number of	
					fellows; lengthening or	
					making the period of service	
					permanent; make language	
					services (FSI) available to	
	<u> </u>				expand post options	
Sec. 9. Vis	a Validity Reciprocity					
	DOS	Review and align	To the extent practicable,		As applies to validity period	
			ensure visa reciprocity	Ì	and fees, as required by	
			agreements for each visa		sections 221(c) and 281 of the	
		1	classification are truly		INA, 8 U.S.C. 1201(c) and	
		1	reciprocal. If not reciprocal,		1351, and other treatment	
			adjust the visa validity period,			
			fee schedule, or other			
			treatment to match the			
	ļ		treatment of United States			
			nationals by the foreign			
			country.			
Sec. 10. To	ransparency and Data	Collection			<u></u>	<u> </u>
10a	DHS	Collect and Publish	Number of foreign nationals	Within 180 days	Data since the date of this	
AVE	214	Information	in the United States who have	and every 180	order or the last reporting	
	In consultation with	Indinguon	been:	days thereafter	period, whichever is later	
	Attorney General	-	charged with terrorism-	ways mercaner	perior, windicaer mater	
	Attends desera		related offenses while in the			
			United States;			
			convicted of terrorism-			
			related offenses while in the			
			United States;			
		1	removed from the United     States based on terrorism-		1	
	1	1	I NOTES RESERVED ON TRACERS	1	i	i e

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
			related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons  radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States  information regarding the number and types of acts of gender-based violence against women, including honor killings,  any other information relevant to public safety and security, including information on the immigration status of foreign nationals charged with major offenses			
11b	DOS	Report	Estimated long term costs of USRAP at Federal, State and Local levels	Within one year of Jan 27		

	Page 3: [1] Comment [SLD2]	Deshommes, Samantha L	1/29/2017 3:36:00 PM	
_	Page 3: [2] Comment [SLD3]	Deshommes, Samantha L	1/29/2017 3:11:00 PM	
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## Gillispie, Anna E

From: Tynan, Natalie S

Sent: Friday, January 27, 2017 7:06 PM

To: \_\_\_\_\_\_ Anderson, Kathryn E; Beveridge, Jennifer t (Jenna); Cummings, Kevin J; Deshommes,

Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A;

Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Cc: Levine, Laurence D; Rather, Michael B

**Subject:** FW: Two Questions

Attachments: 2017protectingtheNationfromTerroristEntryintotheUnitedStates.eo.rel.docx

Hi All – attached is the executive order signed early this evening by the President. Please let me, Mike and Larry know if any questions or immediate impacts to policy come to mind. Next week, we may want to consider pulling relevant policy guidance and start thinking about new guidance that will have to be issued. Hopefully we will have more information.

In the meantime, please send any questions!

Thanks, Natalie

Here is a quick summary (please read the entire document – I tried to hit the "highlights"):

- 1. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. There are review and reporting requirements that shall be completed within 30 days and additional follow up reporting requirements. While the review is conducted, the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a) (12) of the INA, 8 U.S.C. 1187(a) (12), is suspended for 90 days. The Secretary shall provide a list of countries that do not provided necessary information to adjudicate and additional countries may be added. Visas may be issued to nationals of "blocked" countries in the national interest.
- 2. Implementing Uniform Screening Standards for All Immigration Programs A program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission will be created and will include development of a uniform screening standard and procedure; a database of identity documents proffered by applicants; amended application forms with questions aimed at identifying fraudulent answers and malicious intent; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
- 3. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. Suspension of the U.S. Refugee Admissions Program (USRAP) for 120 days for review of the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for

refugee admission do not pose a threat to the security and welfare of the United States. After 120 days, USRAP admissions resume for nationals of countries for which have been determined that such additional procedures are adequate to ensure the security and welfare of the United States. Refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality will be prioritized. Admission of refugees from Syria will be suspended. The refugee limit will be 50,000 for fiscal year 2017.

- 4. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.
- 5. Expedited Completion of the Biometric Entry-Exit Tracking System.
- 6. Visa Interview Security. The visa interview waiver program is suspended to ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.
- 7. <u>Visa Validity Reciprocity</u>. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal.

Senior Advisor USCIS, Office of Policy & Strategy	
20 Massachusetts Ave. Washington, DC	
Washington, DC	
	( <b>b</b> )((d)

Natalie S. Tynan

# THE WHITE HOUSE Office of the Press Secretary

For Immediate Release

January 27, 2017

#### EXECUTIVE ORDER

# PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Immigration and Nationality Act (INA), 8 U.S.C. 1101 et seq., and section 301 of title 3, United States Code, and to protect the American people from terrorist attacks by foreign nationals admitted to the United States, it is hereby ordered as follows:

Section 1. Purpose. The visa-issuance process plays a crucial role in detecting individuals with terrorist ties and stopping them from entering the United States. Perhaps in no instance was that more apparent than the terrorist attacks of September 11, 2001, when State Department policy prevented consular officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder nearly 3,000 Americans. And while the visa-issuance process was reviewed and amended after the September 11 attacks to better detect would-be terrorists from receiving visas, these measures did not stop attacks by foreign nationals who were admitted to the United States.

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visaissuance process to ensure that those approved for admission

do not intend to harm Americans and that they have no ties to terrorism.

In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law. In addition, the United States should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation.

- Sec. 2. Policy. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.
- Sec. 3. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. (a) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall immediately conduct a review to determine the information needed from any country to adjudicate any visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public-safety threat.
- (b) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the President a report on the results of the review described in subsection (a) of this section, including the Secretary of Homeland Security's determination of the information needed for adjudications and a list of countries that do not provide adequate information, within 30 days of the date of this order. The Secretary of Homeland Security shall provide a copy of the report to the Secretary of State and the Director of National Intelligence.
- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in

subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

- (d) Immediately upon receipt of the report described in subsection (b) of this section regarding the information needed for adjudications, the Secretary of State shall request all foreign governments that do not supply such information to start providing such information regarding their nationals within 60 days of notification.
- (e) After the 60-day period described in subsection (d) of this section expires, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the President a list of countries recommended for inclusion on a Presidential proclamation that would prohibit the entry of foreign nationals (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas) from countries that do not provide the information requested pursuant to subsection (d) of this section until compliance occurs.
- (f) At any point after submitting the list described in subsection (e) of this section, the Secretary of State or the Secretary of Homeland Security may submit to the President the names of any additional countries recommended for similar treatment.
- (g) Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration

benefits to nationals of countries for which visas and benefits are otherwise blocked.

- (h) The Secretaries of State and Homeland Security shall submit to the President a joint report on the progress in implementing this order within 30 days of the date of this order, a second report within 60 days of the date of this order, a third report within 90 days of the date of this order, and a fourth report within 120 days of the date of this order.
- Sec. 4. Implementing Uniform Screening Standards for All Immigration Programs. (a) The Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation shall implement a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission. This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
- (b) The Secretary of Homeland Security, in conjunction with the Secretary of State, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall submit to the President an initial report on the progress of this directive within 60 days of the date of this order, a second report within 100 days of the date of this order, and a third report within 200 days of the date of this order.
- Sec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. (a) The Secretary of State shall suspend the U.S. Refugee Admissions Program (USRAP) for 120 days. During the 120-day period, the Secretary of State, in

conjunction with the Secretary of Homeland Security and in consultation with the Director of National Intelligence, shall review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States, and shall implement such additional procedures. Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures. Upon the date that is 120 days after the date of this order, the Secretary of State shall resume USRAP admissions only for nationals of countries for which the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States.

- (c) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of nationals of Syria as refugees is detrimental to the interests of the United States and thus suspend any such entry until such time as I have determined that sufficient changes have been made to the USRAP to ensure that admission of Syrian refugees is consistent with the national interest.
- (d) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of more than 50,000 refugees in fiscal year 2017 would be detrimental to the interests of the United States, and thus suspend any such entry until such time as I determine that additional admissions would be in the national interest.
- (e) Notwithstanding the temporary suspension imposed pursuant to subsection (a) of this section, the Secretaries of

State and Homeland Security may jointly determine to admit individuals—to—the—United—States—as—refugees on a case—by—case basis, in their discretion, but only so long as they determine that the admission of such individuals as refugees is in the national interest — including when the person is a religious minority in his country of nationality facing religious persecution, when admitting the person would enable the United States to conform its conduct to a preexisting international agreement, or when the person is already in transit and denying admission would cause undue hardship — and it would not pose a risk to the security or welfare of the United States.

- (f) The Secretary of State shall submit to the President an initial report on the progress of the directive in subsection (b) of this section regarding prioritization of claims made by individuals on the basis of religious-based persecution within 100 days of the date of this order and shall submit a second report within 200 days of the date of this order.
- (g) It is the policy of the executive branch that, to the extent permitted by law and as practicable, State and local jurisdictions be granted a role in the process of determining the placement or settlement in their jurisdictions of aliens eligible to be admitted to the United States as refugees. To that end, the Secretary of Homeland Security shall examine existing law to determine the extent to which, consistent with applicable law, State and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions, and shall devise a proposal to lawfully promote such involvement.
- Sec. 6. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.
- Sec. 7. Expedited Completion of the Biometric Entry-Exit Tracking System. (a) The Secretary of Homeland Security shall expedite the completion and implementation of a biometric entry-exit tracking system for all travelers to the United States, as recommended by the National Commission on Terrorist Attacks Upon the United States.

- (b) The Secretary of Homeland Security shall submit to the President periodic-reports-on-the-progress of the directive contained in subsection (a) of this section. The initial report shall be submitted within 100 days of the date of this order, a second report shall be submitted within 200 days of the date of this order, and a third report shall be submitted within 365 days of the date of this order. Further, the Secretary shall submit a report every 180 days thereafter until the system is fully deployed and operational.
- Sec. 8. Visa Interview Security. (a) The Secretary of State shall immediately suspend the Visa Interview Waiver Program and ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.
- (b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic ability, to ensure that non-immigrant visa-interview wait times are not unduly affected.
- Sec. 9. Visa Validity Reciprocity. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal insofar as practicable with respect to validity period and fees, as required by sections 221(c) and 281 of the INA, 8 U.S.C. 1201(c) and 1351, and other treatment. If a country does not treat United States nationals seeking nonimmigrant visas in a reciprocal manner, the Secretary of State shall adjust the visa validity period, fee schedule, or other treatment to match the treatment of United States nationals by the foreign country, to the extent practicable.
- Sec. 10. Transparency and Data Collection. (a) To be more transparent with the American people, and to more effectively implement policies and practices that serve the national interest, the Secretary of Homeland Security, in consultation with the Attorney General, shall, consistent with

applicable law and national security, collect and make publicly available within 180-days, and every 180 days thereafter:

- (i) information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons since the date of this order or the last reporting period, whichever is later;
- (ii) information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States, since the date of this order or the last reporting period, whichever is later; and
- (iii) information regarding the number and types of acts of gender-based violence against women, including honor killings, in the United States by foreign nationals, since the date of this order or the last reporting period, whichever is later; and
- (iv) any other information relevant to public safety and security as determined by the Secretary of Homeland Security and the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.
- (b) The Secretary of State shall, within one year of the date of this order, provide a report on the estimated long-term costs of the USRAP at the Federal, State, and local levels.
- Sec. 11. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:
  - (i) the authority granted by law to an executive department or agency, or the head thereof; or

- (ii) the functions of the Director of the Office of \_Management\_and\_Budget-relating-to-budgetary; administrative, or legislative proposals.
- (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
January 27, 2017.

# # #

Gillispie, Anna E		
From: Sent: -To:	Phillips, Mark Sunday, January 29, 2017 8:25 AM  Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D;  Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y	
Subject:	RE: Executive Order	
	pints. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, nt applications where the applicant is physically present in the United States.	
(Jenna); Dunn, Maureen	; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennlfer L A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; n, Jerry L; Silwany, Oscar Y	
Thanks all. I really hop	be we have some legal guidance. There are a lot of issues.	

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8:U.S.C. 1182(f), I hereby proclaim that the immigrant and

things:

nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn Anderson	
Acting Chief, International and Humanitarian	Affairs Division
Office of Policy and Strategy, U.S. Citizenship	and Immigration Service
Department of Homeland Security	
	(h)\/@\

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Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Deshommes, Samantha L.

Sent: Saturday, January 28, 2017 11:18:11 PM

(b)(6)

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

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Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine	
Acting Chief	
Office of Policy & Stra	ategy
-U:S:-Gitizenship and In	mmigration-Services-
Department of Homela	and Security
	(I )) (CD
	( ID W/66)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Fiold Operations Directorate 1.11.5. Citizenship and Immigration Services.

(b)(6)

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From: Valverde, Michael

Sent: Saturday, January 28, 2017 11:42 AM

-To:-Renaud, Daniel M;-Kvortek, Lisette E--

Cc: Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

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Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Descriptions of Homeland Security
(b)(6)

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Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services
(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

**Subject:** RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From:-Neufeld, Donald W- - - - -

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L.

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

**Subject:** RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of

nonimmigrant status are impacted. Separately, is there any impact on pet would not be determining admissibility? I would think not, but it would be	
	; ;
From: Scialabba, Lori L	
Sent: Friday, January 27, 2017 5:59:36 PM  To: Renaud, Daniel M; Higgins, Jennifer  Cc: Renaud, Tracy L; Neufeld, Donald W	
Subject: RE: Executive Order	
I think that's o.k. and going forward don't schedule these for interviews.	
From: Renaud, Daniel M	
Sent: Friday, January 27, 2017 5:47 PM	
To: Scialabba, Lori L; Higgins, Jennifer	•
Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order	•
If we can define "suspend processing" as "suspend prior to approval", then one interviews, since it is likely we have some that are scheduled as soon as Monda the cases post interview. We are trying to scrape our schedulers (C4 and NASS interviews scheduled for individuals from affected countries. We should have	y for affected applicants and then hold ) to see when and where we have
Daniel M. Renaud	
Associate Director, Field Operations Directorate ————————————————————————————————————	
From: Scialabba, Lori L	
Sent: Friday, January 27, 2017 12:43 PM	
To: Higgins, Jennifer	(b)//E)
Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	( <b>b</b> ))(5)
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L	
Subject: Executive Order	
Тгасу,	
It is my understanding that POTUS will sign the "Protecting the Nation from Tel	rrorist Attacks by Foreign Nationals" order

(b)(5)

into the United States", once we grant an adjustment we "admit" that person

today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry."

(**b**)((5)

We just need to clarify if by extension this applies to our product lines. If this is the case then bon and ban will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

-Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529

(b)(6)

#### Gillispie, Anna E

From:

Anderson, Kathryn E

Sent:

Sunday, January 29, 2017 6:52 AM

-To:-

Cummings, Kevin-J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

**RE: Executive Order** 

**Attachments:** 

Executive Order PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO

....docx; Congressional research service report January 2017 on 212(f).pdf

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

(b)(5)

(c) To temporarily reduce investigative burdens on relevant agencies during the
review period described in subsection (a) of this section, to ensure the proper
review and maximum utilization of available resources for the screening of
foreign nationals, and to ensure that adequate standards are established to
prevent infiltration by foreign terrorists or criminals, pursuant to section
212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and
nonimmigrant entry into the United States of aliens from countries referred to in
section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the
interests of the United States, and I hereby suspend entry into the United
States, as immigrants and nonimmigrants, of such persons for 90 days from the
date of this order (excluding those foreign nationals traveling on diplomatic
visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the
United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn Andersor	hrvn Anderso	n
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Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services

Penartment of Homeland Security	

(b)(6)

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**Sent:** Sunday, January 29, 2017 6:30 AM

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Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland-Security – – –

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Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

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Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

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Shannen E. Slattery

Field Operations Directorate 1.U.S. Citizenship and Immigration Services

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**Subject:** RE: Executive Order

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Michael Valverde

#### **DHS USCIS**

Field Operations Directorate, Deputy Associate Director

(b)(6)

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Associate Director | Field Operations Directorate

U.S. Citizenship and Immigration Services

Department of Homeland Security

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Tracy L. Renaud Acting Deputy Director US Citizenship & Immigration Services Department of Homeland Security

(b)(6)

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We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services
(b))(6)
· · ·

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Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

**Subject:** RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 5:59:36 PM To: Renaud, Daniel M; Higglns, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday. Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security | U.S. Citizenship and Immigration Services From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM **To:** Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order FYI. I think Andrew might be right in terms of what is meant From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order Tracy, It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person. We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs. Thanks, Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services

(b)(6)

U.S. Department of Homeland Security 111 Massachusetts Avenue, NW

Washington, DC 20529

#### Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

POLICY: It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

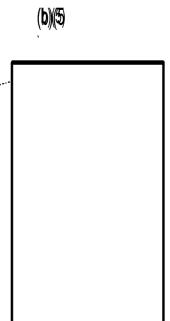
#### **GENERAL OBJECTIVES:**

- Be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.
- Ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles
- We cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law
- We should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation

Date conversions	اجا
Days from order	Date
30	2/26
60	3/28
90	4/27
100	5/7
120	5/27
180	7/26
200	8/15

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
Section 3	: Suspension of Issu	ance of Visas an	d Other Immigration Benefits to	Nationals of C	ountries of Particu	lar Concern
3a	DHS	Review	Determine information	Immediate		
'	i		needed from any country to		1 ;	
	In consultation with		adjudicate any visa, admission		1 :	
	DOS/DNI		or benefit under the INA in			
			order to determine that the			
			individual seeking the benefit			i
			is who the individual claims to	l		1
			be and is not a security or		1	
İ			public safety threat.			

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
3b	DHS	Report	Information identified in review under 3a	30 days from Jan 27	Report to President Copy to DOS/DNI	
3c	DHS/DOS	Suspend	Admission of immigrants and nonimmigrants from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya	For 90 days from Jan 27	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130,?  2. Should we deschedule oath ceremonies for individuals from the 7?  3. How do we handle N-400s 120+ days from interview?  4. Should we stop RFEs?  5. Should we stop scheduling interviews?  6. What about change of status from other NIV categories to NATO visas, C-2 travel visas (UN) andG-1, G-2, G-3, and G-4 visas?  7. What about change of status for NIVs for these countries?
: 3d	DOS	Request	Secretary shall request all foreign governments that do not supply information Identified in 3a review to provide such information.	Immediately following report in 3b	Foreign governments will be given 60 days to begin providing information	
3e	DHS In consultation with DOS	Recommendation	Recommend countries whose foreign nationals would be prohibited entry to the United States due to the country's failure to provide information requested by the U.S. as described in 3d	After 60 day period outlined in 3d	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	
3g*					*Exception:  DHS and DOS may on a case-by-case and when in national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.	
3f	DHS or DOS	Recommendation	Add countries to list of those whose nationals are prohibited from entering the U.S. due to failure to provide information as requested by the U.S. (3d)	After submission of List Indefinite		
3h	DHS and DOS	Joint Report	Report progress implementing Order	30 days 60 days		



Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments		
				90 days				
				120 days				
A traition (	Simulanian tail	lorm Smooning Stand		From Jan 27	17 (15 (15 (15 (15 (15 (15 (15 (15 (15 (15	TOTAL PROPERTY CONTRACTOR OF CONTRACTOR		
			lards for All Immigrant Prog		1.42.0		ľ	
4a	DHS/DOS/DNI/FBI	Implement Program as part of	To identify individuals	Initial progress		Do we need to take any actions prior to the "plan" described in section four being		
		as parcor adjudications process	seeking to enter US on a fraudulent basis with intent	report due within 60 days of Jan 27		developed and implemented?		
		to include	to cause harm, or who are	00 0013 OI 1211 Z1		2. Who is responsible for developing the		
i		development of:	at risk of causing harm			plan?	ĺ	
			subsequent to admission.			3. Might this functionality [database to		
						collect identity documents) already exist and be implemented?		
		Uniform screening standard and				4. Would these [amended application forms]		
		procedure, such as				be internal worksheets and not OMB		
		interviews				cleared changes to existing forms	ļ	
						[Regarding mechanism to ensure applicant's claimed identity] Beyond	N	
		• Database	Capture identity			existing measures/capabilities? Enhanced	1	
			documents proffered by			data share?	1	
			applicants and prevent duplicate documents from					
			being used by multiple				ļ	
			applicants					
			,					
		Amended     Application Common	To add questions aimed at					
		Application Forms	Identifying fraudulent answers and malicious					
			intent				Ì	
			1		***************************************	***************************************	,	
		Mechanism	To ensure applicant is who				1	
			the applicant daims to be				;	
		İ						
		Process	a. To explicate the spelimet's					
		▼ L100553	To evaluate the applicant's likelihood of becoming a					
			positively contributing					
			member of society and the					
			applicant's ability to make					
			contributions to the					
			national interest					
		Mechanism	To assess whether or not					
			the applicant has the intent					
			to commit criminal or					
			terrorist acts after entering					
L		<u> </u>	the U.S.	<u>_</u>			ļ	
								1

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
4b	DHS/DOS/DNI/FBI	Report	Report progress of initiatives	Within 60 days,	Report to President	
		'	under 4a	100 days,	,	
				200 days of Jan 27		
Sec. 5. Re	alignment of the U.S.	Refugee Admissions Pr	ogram for Fiscal Year 2017.	<u> </u>	1.	•A :
5a	DOS	Suspend the USRAP		For 120 days from		_ ·
		program		Jan 27		
Sa	005	Review	Review the USRAP application	Within 120 days		
	In consultation with		and adjudication process to	of Jan 27		
	OHS/DNI		determine what additional			
			procedures should be taken to			
			ensure that those approved			
			for refugee admission do not			
			pose a threat to the security			
	}		and welfare of the United			
			States			<u></u>
Sa	DOS	Implement	Implement procedures	Within 120 days	Refugee applicants who are	
			identified during review	of Jan 27	already in the USRAP process	
	In consultation with				may be admitted upon the	
	DH\$/DNS				initiation and completion of	
			<u> </u>		these revised procedures.	
5a	DOS	Resume USRAP		120 days after	Limited to nationals of	
	Ì			order	countries for which the	
	1				DHS/DOS/DNI have jointly	
	}				determined that such	
					additional procedures are	
					adequate to ensure the	
					security and welfare of the	
					United States	
5b	DOS	Prioritize Refugee	Prioritize claims made by		Individual's religion must be a	
		Claims	individuals on the basis of		minority religion in the	
	In consultation with		religious-based persecution.		individual's country of	
	DHS		<u> </u>		nationality.	
5b	DOS/DHS	Recommend	To support prioritization of		ļ	
		Legislation	refugee claims as noted			
		<del> </del>	immediately above.			
5c,	President	Suspend admission of		Until the	Exception:	
		Syrian refugees		president	DHS/DOS have discretion to	
_				determines	jointly determine to admit	
Se .				sufficient changes	individuals to the United	
Exception				have been made	States as refugees on a case-	
				to USRAP to	by-case basis only so long as	
				ensure admission	they determine that the	
				of Syrian Refugees	admission of such individuals	
				is consistent with	as refugees is in the national	
		İ		the national	interest – including when the	
				interest	person is a religious minority	
		<u> </u>	<u> </u>	<u> </u>	in his country of nationality	

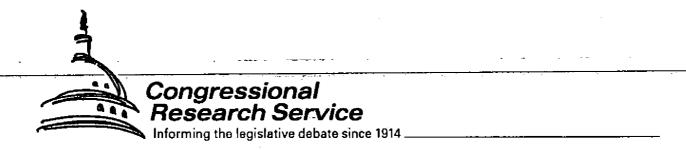
Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
		•			facing religious persecution,	
					when admitting the person	
					would enable the United	
					States to conform its conduct	
					to a preexisting international agreement, or when the	
	-				person is already in transit	
					and denying admission would	
					cause undue hardship - and it	
	,				would not pose a risk to the	
	•				security or welfare of the	
				e	United States.	
5d	President	Limit refugee		Until such time as	1	
		admissions to 50,000		the president	:	,
		in FY 2017		determines that	. '	
				additional	1	
		ļ	'	admissions would	1	
,		}		be in the national interest		
5f	005	Report	Progress of prioritization of	Within 100 days		
			claims under 5(b)	and		Δ.
			• · · · · · · · · · · · · · · · · · · ·	200 days of Jan 27		± 1
Sg	DHS	Determine based on	Extent to which state and		1	
		existing law	local jurisdictions may have			
	;		greater involvement in the			
			process of determining the placement or resettlement of			
			refugees in their jurisdictions		:	
Sg	DHS	Propose	Plan to involve state/local	<del> </del>		
70	1		jurisdictions in refugee		,	
			resettlement process	l		
Sec. 6. R	escission of Exercise of	Authority Relating to t	he Terrorism Grounds of Inad	missibility	And the state of the state of	
6a	DOS/DHS	Review and consider	Authorities under INA 212 (8	Undefined	;	Should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are
	In consultation with	rescinding	USC 1182) relating to TRIG and related memoranda		, , , , , , , , , , , , , , , , , , ,	forthcoming
	AG		SAM FUGLER INCHIOLOGING		1	
Sec. 7. E	xpedited Completion of	the Biometric Entry-E	xlt Tracking System.			Tright to be to the first
7a	DH\$	Expedite completion			Recommended by the	
		and implementation		1	National Commission on	
		of a biometric entry-			Terrorist Attacks Upon the	
		exit tracking system			United States	
		for all travelers to the United States			1	
1		Outied 209(62	<u> </u>	ļ	1	
7b:	DHS	Report.	Progress on directive in 7a	Within 100 days		

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
				days of Jan 27 and		
				every 180 days		
				thereafter until		
				the system is fully		
				deployed and operational.		
				орегацина.		
Sec. 8. Vi	sa Interview Security.	DOS			4	
8a	DOS	Suspend	Visa Interview Waiver	Immediately	Require in-person interview	
			Program		for all individuals seeking a	
				İ	NIV, subject to statutory	
					exceptions	
80	DOS	Expand	Consular Fellows Program		To extent permitted by law	
					and by available	
					appropriations: substantially	
					increase the number of	
	•				fellows; lengthening or	
					making the period of service permanent; make language	
					services (FSI) available to	
					expand post options	
Sec. 9. Vi	sa Validity Redprodty	(,	· · · · · · · · · · · · · · · · · · ·	<u> </u>	, administration of the control of t	
·	005	Review and align	To the extent practicable,	]	As applies to validity period	
		-	ensure visa reciprocity		and fees, as required by	
			agreements for each visa		sections 221(c) and 281 of the	
			classification are truly		INA, 8 U.S.C. 1201(c) and	
			reciprocal. If not reciprocal,		1351, and other treatment	
		İ	adjust the visa validity period,			
			fee schedule, or other			
			treatment to match the			
			treatment of United States			
			nationals by the foreign			
			country.			
Sec. 10. T	ransparency and Data	Collection	1	<u>'</u>	<i>1</i>	·
10a	DHS	Collect and Publish	Number of foreign nationals	Within 180 days	Data since the date of this	
		Information	in the United States who have	and every 180	order or the last reporting	
	In consultation with		been:	days thereafter	period, whichever is later	
	Attorney General		<ul> <li>charged with terrorism-</li> </ul>			
			related offenses while in the			
			United States;			
			<ul> <li>convicted of terrorism-</li> </ul>			
			related offenses while in the			
			United States;			
			removed from the United			
		I	States based on terrorism-			

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
			related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons  radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States  information regarding the number and types of acts of gender-based violence against women, including honor killings,  any other information relevant to public safety and security, including information on the immigration status of foreign nationals charged with major offenses			
11b	DOS	Report	Estimated long term costs of USRAP at Federal, State and Local levels	Within one year of Jan 27		

_	Page 3: [1] Comment [SLD2]	Deshommes, San	nantha L	1/29/2017 3:36:00 PM	
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1	Page 3: [2] Comment [SLD3]	Deshommes, San	nantha L	. 1/29/2017 3:11:00 PM	7

(b)(5)



# **Executive Authority to Exclude Aliens: In Brief**

**Kate M. Manuel**Acting Section Research Manager

January 23, 2017

Congressional Research Service

7-5700 www.crs.gov

R44743

CRS REPORT
Prepared for Members and
Committees of Congress ....

## Summary

The Immigration and Nationality Act (INA) provides that individual aliens outside the United States are "inadmissible"—or barred from admission to the country—on health, criminal, security, and other grounds set forth in the INA. However, the INA also grants the Executive several broader authorities that could be used to exclude certain individual aliens or classes of aliens for reasons that are not specifically prescribed in the INA.

Section 212(f) of the INA is arguably the broadest and best known of these authorities. It provides, in relevant part, that

Whenever the President finds that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, he may by proclamation, and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on the entry of aliens any restrictions he may deem to be appropriate.

Over the years, Presidents have relied upon Section 212(f) to suspend or otherwise restrict the entry of individual aliens and classes of aliens, often (although not always) in conjunction with the imposition of financial sanctions upon these aliens. Among those so excluded have been aliens whose actions "threaten the peace, security, or stability of Libya"; officials of the North Korean government; and aliens responsible for "serious human rights violations."

Neither the text of Section 212(f) nor the case law to date suggests any firm legal limits upon the President's exercise of his authority to exclude aliens under this provision. The central statutory constraint imposed on Section 212(f)'s exclusionary power is that the President must have found that the entry of any alien or class of aliens would be "detrimental to the interests of the United States," The statute does not address (1) what factors should be considered in determining whether aliens' entry is "detrimental" to U.S. interests; (2) when and how proclamations suspending or restricting entry should be issued; (3) what factors are to be considered in determining whether particular restrictions are "appropriate"; or (4) how long any restrictions should last. The limited case law addressing exercises of presidential authority under Section 212(f) also supports the view that this provision confers broad authority to bar or impose conditions upon the entry of aliens. Key among these cases is the Supreme Court's 1993 decision in Sale v. Haitian Centers Council, Inc., which held that the U.S. practice of interdicting persons fleeing Haiti outside U.S. territorial waters and returning them to their home country without allowing them to raise claims for asylum or withholding of removal did not violate the INA or the United Nations Convention Relating to the Status of Refugees. The U.S. practice had been established by Executive Order 12807, which was issued, in part, under the authority of Section 212(f) and "suspend[ed] the entry of aliens coming by sea to the United States without necessary documentation." However, depending on their scope, future executive actions under Section 212(f) could potentially be seen to raise legal issues that have not been prompted by the Executive's prior exercises of this authority.

Beyond Section 212(f), other provisions of the INA can also be seen to authorize the Executive to restrict aliens' entry to the United States. Most notably, Section 214(a)(1) prescribes that the "admission of any alien to the United States as a nonimmigrant shall be for such time and under such conditions as [the Executive] may by regulations prescribe." Section 215(a)(1) similarly provides that "it shall be unlawful for any alien" to enter or depart the United States "except under such reasonable rules, regulations, and orders, and subject to such limitations and exceptions as the President may prescribe." For example, President Carter cited Section 215(a)—rather than Section 212(f)—when authorizing the revocation of immigrant and nonimmigrant visas issued to Iranian citizens during the Iran Hostage Crisis.

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he Immigration and Nationality Act (INA) provides that individual aliens outside the

United States are "inadmissible"—or generally barred from admission to the country —on
health, criminal, security, and other grounds set forth in the INA. However, the INA also
grants the Executive several broad authorities that could be used to exclude certain individual
aliens or classes of aliens for reasons that are not specifically set forth in the INA. Section 212(f)
of the INA is arguably the broadest and best known of these provisions, but Sections 214(a)(1)
and 215(a)(1) can also be seen to authorize the Executive to restrict aliens' entry or admission to
the United States.4

This report provides a brief overview of the Executive's authority under these provisions of the INA. It begins with and focuses primarily on Section 212(f). It also briefly notes other provisions.

## Section 212(f) of the INA

The provisions currently in Section 212(f)—which have been part of the INA since its enactment in 1952<sup>5</sup>—state, in relevant part, that

Whenever the President finds that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, he may by proclamation and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on the entry of aliens any restrictions he may deem to be appropriate.<sup>6</sup>

Legislative history materials from the time of the INA's enactment suggest that these provisions were seen to grant the President broad authority to bar or impose conditions upon the entry of aliens, and Presidents over the years have relied upon Section 212(f) to suspend or restrict the entry of various groups of aliens, often (although not always) in conjunction with the imposition of financial sanctions upon them. Among those so excluded have been aliens whose actions

<sup>&</sup>lt;sup>1</sup> The INA defines "admission" to mean "the lawful entry of an alien into the United States after inspection and authorization by an immigration officer." INA § 101(a)(13)(A), 8 U.S.C. § 1101(a)(13)(A). The INA is codified in Title 8 of the United States Code, and references to the INA in this report also include references to the corresponding sections of Title 8.

<sup>&</sup>lt;sup>2</sup> See INA § 212(a), 8 U.S.C. § 1182(a) (prescribing the inadmissibility of, among others, aliens who have a communicable disease of public health significance; have been convicted of two or more criminal offenses; have engaged in a terrorist activity; are permanently ineligible for citizenship; or have previously voted in violation of any federal, state, or local law). Certain of these grounds of inadmissibility may be waived. See, e.g., INA § 212(a)(9)(B)(v), 8 U.S.C. § 1182(a)(9)(B)(v) (authorizing the Executive to waive the 3- and 10-year bars upon the admission of aliens who have been unlawfully present in the United States for more than 180 days if the refusal of admission to the alien would result in "extreme hardship" to a parent or spouse who is a U.S. citizen or lawful permanent resident (LPR)).

<sup>3 8</sup> U.S.C. § 1182(f).

<sup>&</sup>lt;sup>4</sup> 8 U.S.C. §§ 1184(a)(1), 1185(a)(1). As is discussed later in this report, the term "entry" is no longer defined for purposes of the INA. See Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), P.L. 104-208, § 301(a), 110 Stat. 3009-575 (Sept. 30, 1996) (amending INA § 101(a)(13) so that it defines "admission," instead of "entry"). However, at one time, the INA defined the term "entry" to mean "any coming of an alien into the United States, from any foreign port or place or from an outlying possession, whether voluntarily or otherwise." INA § 101(a)(13), 8 U.S.C. § 1101(a)(13) (1994). See infra notes 26-27 and accompanying text.

<sup>&</sup>lt;sup>5</sup> 8 U.S.C. § 1182(f). <sup>6</sup> See P.L. 82-414, § 212(e), 66 Stat. 188 (June 27, 1952).

<sup>&</sup>lt;sup>7</sup> See, e.g., H.R. RPT. 1365, 82d Cong., 2d Sess., at 53 (Feb. 14, 1952) ("The bill vests in the President the authority to suspend the entry of all aliens if he finds that their entry would be detrimental to the interests of the United States, for such period as he shall deem necessary.").

"threaten the peace, security, or stability of Libya"; officials of the North Korean government or the Workers' Party of North Korea; aliens who have participated in "serious human rights violations"; and others noted in Table I below.

Neither the text of Section 212(f) nor the case law to date suggests any firm legal constraints upon the President's exercise of his authority under Section 212(f), as is explained below. However, future executive actions under INA § 212(f) could potentially be seen to raise legal issues that have not been prompted by the Executive's prior exercise of this authority.<sup>11</sup>

### Statutory Language and Executive Branch Interpretations

On its face, Section 212(f) would appear to give the President broad authority to preclude or otherwise restrict the entry into the United States of individual aliens or classes of aliens who are outside the United States and lack recognized ties to the country. The central statutory constraint imposed on Section 212(f)'s exclusionary power is that the President must have found that the entry of any aliens or class of aliens would be "detrimental to the interests of the United States" in order to exclude the alien or class of aliens. The statute does not address (1) what factors should be considered in determining whether aliens' entry is "detrimental" to U.S. interests; (2) when and how proclamations suspending or restricting entry should be issued; (3) what factors are to be considered in determining whether particular restrictions are "appropriate"; or (4) how long any restrictions should last. There also do not appear to be any regulations addressing the exercise of presidential authority under Section 212(f).

The Department of State's Foreign Affairs Manual (FAM) seemingly provides the only publicly available executive branch guidance on the President's Section 212(f) authority. In relevant part, the FAM notes that Section 212(f) proclamations "typically" grant the Secretary of State authority to identify individuals covered by the proclamation and to waive its application for foreign policy

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<sup>&</sup>lt;sup>8</sup> See Executive Order 13726, Blocking Property and Suspending Entry Into the United States of Persons Contributing to the Situation in Libya, 81 Fed. Reg. 23559 (Apr. 21, 2016).

<sup>&</sup>lt;sup>9</sup> See Executive Order 13687, Imposing Additional Sanctions With Respect To North Korea, 80 Fed. Reg. 819 (Jan. 6, 2015).

<sup>&</sup>lt;sup>10</sup> See Suspension of Entry as Immigrants and Nonimmigrants of Persons Who Participate in Serious Human Rights and Humanitarian Law Violations and Other Abuses, 76 Fed. Reg. 49277 (Aug. 9, 2011).

<sup>&</sup>lt;sup>11</sup> Not knowing the form that future restrictions might take, or the grounds upon which such restrictions might be subject to legal challenges, it would be premature to assess whether specific restrictions might be within the Executive's authority. However, it is important to note that aliens outside the United States who have no ties to the country generally have limited ability to challenge the denial of visas or admission to them. *See. e.g.*, Shaughnessy v. Mezei, 345 U.S. 206, 216 (1953) ("Whatever our individual estimate of that policy and the fears on which it rests, respondent's right to enter the United States depends on the congressional will, and courts cannot substitute their judgment for the legislative mandate."); United States *ex rel.* Knauff v. Shaughnessy, 338 U.S. 537, 542 (1950) ("[A]n alien who seeks admission to this country may not do so under any claim of right. Admission of aliens to the United States is a privilege granted by the sovereign United States Government. Such privilege is granted to an alien only upon such terms as the United States shall prescribe."). *But see* Kleindienst v. Mandel, 408 U.S. 753, 762-63 (1972) (recognizing that U.S. persons adversely affected by the denial of a visa waiver to an alien outside the United States may have a right to challenge the denial under certain circumstances).

<sup>&</sup>lt;sup>12</sup> LPRs who leave the United States for a brief period of time are distinguishable from, for example, refugees seeking to be admitted to the United States. See, e.g., Landon v. Plasencia, 459 U.S. 21, 32 (1982) (discussing due process concerns raised by the application to an LPR of a statute which provided for the exclusion of any alien who "at any time shall have, knowingly and for gain, encouraged, induced, assisted, abetted, or aided any other alien to enter or to try to enter the United States in violation of law").

<sup>13</sup> INA § 212(f), 8 U.S.C. § 1182(f).

or other national interests. <sup>14</sup> The FAM also notes that such proclamations may bar entry based on either affiliation or "objectionable" conduct. In addition, it provides that Section 212(f) may reach persons who are inadmissible under other provisions of law, in which case, the "statutory inadmissibilities are to be considered prior to determining whether a Presidential Proclamation applies." <sup>15</sup> However, the FAM is generally not seen as having the force of law to bind the executive branch. <sup>16</sup> Thus, the Executive would not need to engage in notice-and-comment rulemaking in order to alter particular practices contained in the FAM that have historically been associated with exercises of Section 212(f) authority (e.g., not relying on a 212(f) proclamation to bar the admission of aliens who are inadmissible on other grounds). <sup>17</sup>

### Judicial Constructions of Section 212(f)

The limited case law addressing exercises of presidential authority under Section 212(f) also supports the view that this provision of the INA confers broad authority to suspend or restrict the entry of aliens. Key among these cases is the Supreme Court's 1993 decision in Sale v. Haitian Centers Council, Inc., which held that the U.S. practice of interdicting persons fleeing Haiti outside U.S. territorial waters and returning them to their home country without allowing them to raise claims for asylum and withholding of removal did not violate either the INA or the United Nations Convention Relating to the Status of Refugees. The U.S. practice had been established by Executive Order 12807, which was issued, in part, under the authority of Section 212(f) of the INA and "suspend[ed] the entry of aliens coming by sea to the United States without necessary documentation." Although the Sale Court was primarily concerned with whether the INA and UN Convention provisions regarding withholding of removal applied extraterritorially, it is arguably important for understanding the scope of the President's Section 212(f) authority. In particular, the Sale decision arguably helped clarify the relationship between exercises of the authority granted by Section 212(f) and those granted by other provisions of the INA, as well as the meaning of entry for purposes of Section 212(f).

<sup>14 9</sup> FAM § 302.11-3(B)(1), available at h https://fam.state.gov/Fam/FAM.aspx (last accessed: Jan. 3, 2017).
15 t.d.

<sup>&</sup>lt;sup>16</sup> See, e.g., Patel v. U.S. Dep't of State, No. 11-cv-6-wmc, 2013 U.S. Dist. LEXIS 108592, at \*13 (W.D. Wis. Aug. 2, 2013) ("[T]he Foreign Affairs Manual is an internal guideline that sets forth agency practice and procedures. Because internal guidelines and agency manuals like the Foreign Affairs Manual are not subject to [Administrative Procedure Act] APA rulemaking procedures, they lack the force of law and do not bind agency discretion.").

<sup>&</sup>lt;sup>17</sup> For more on the constraints of the rulemaking process, see generally CRS Report R41546, A Brief Overview of Rulemaking and Judicial Review, by Todd Garvey and Daniel T. Shedd; CRS Report RL32240, The Federal Rulemaking Process: An Overview, coordinated by Maeve P. Carey.

<sup>&</sup>lt;sup>18</sup> 509 U.S. 155, 158-59 (1993). Specifically at issue in *Sale* were the provisions currently in INA § 241(b)(3)(B) and Article 33 of the Convention, which both bar the return of aliens to countries where their life or freedom would be threatened because of their race, religion, nationality, political opinion, or membership in a particular social group. The United States is technically a party to the 1967 UN Protocol Relating to the Status of Refugees, not the 1951 Convention Relating to the Status of Refugees. However, the Protocol incorporated articles 2 to 34 of the Convention, and it is customary for commentators to refer to the Convention, not the Protocol, when discussing these articles.

<sup>&</sup>lt;sup>19</sup> Executive Order 12,807 also cited INA § 215(a)(1), which provides that "[u]nless otherwise ordered by the President, it shall be unlawful for any alien to depart from or enter ... the United States except under such reasonable rules, regulations, and orders, and subject to such limitations and exceptions as the President may prescribe." 8 U.S.C. § 1185(a)(1). For further discussion of this provision, see *infra* "Other Provisions of the INA".

<sup>&</sup>lt;sup>20</sup> See Interdiction of Illegal Aliens, 57 Fed. Reg. 23133 (June 1, 1992). President George H.W. Bush initially issued this order, but President Clinton left the order in place without modifications when he took office. It remained in effect at the time of the Court's decision in Sale. See generally 509 U.S. at 165.

<sup>21</sup> Sale, 509 U.S. at 173-88.

In particular, the Court rejected the view of the U.S. Court of Appeals for the Second Circuit ("Second Circuit") that interdiction was prohibited because of the INA's prohibition upon the then-Attorney General returning an alien to a country where he or she would be persecuted.<sup>22</sup> The Second Circuit had reached this conclusion by noting that the Attorney General was the President's "agent" in matters of immigration. 23 Therefore, it found that INA's prohibition on the Attorney General returning aliens to countries where the alien's life or freedom would be threatened because of the alien's race, religion, nationality, political opinion, or membership in a particular social group should be imputed to the rest of the executive branch.<sup>24</sup> The Supreme Court disagreed, however, holding that the interdiction program created by the President did not "usurp[] authority that Congress has delegated to, or implicate[] responsibilities that it has imposed on, the Attorney General alone."25 The Court reached this conclusion, in part, because it viewed the INA as restricting only the then-Attorney General's immigration-related responsibilities under the act. It did not view the INA as restricting the President's actions in geographic areas outside of where Congress had authorized the Attorney General to act in the immigration context (i.e., outside the United States).<sup>26</sup> The upshot of this reasoning was that the Court declined to find that the interdiction program implemented under the authority of Section 212(f) ran afoul of statutory or treaty-based restrictions.

The Sale decision also helped define what is meant by the term entry as that term is used in Section 212(f). At the time when Sale was decided, the INA explicitly defined entry to encompass "any coming of an alien into the United States, from any foreign port or place or from an outlying possession, whether voluntarily or otherwise." Therefore, consistent with this definition, the Court distinguished between (1) aliens who are "on our shores seeking admission" or "on the threshold of initial entry," and (2) aliens who are within the United States after entry, regardless of the legality of that entry. While the statutory definition of entry that the Court relied upon was deleted from the INA as part of the amendments made by the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 (P.L. 104-208), the Sale Court's construction of entry has persisted in discussions of Section 212(f) and in other contexts.

<sup>&</sup>lt;sup>22</sup> Id. at 171-72. For several decades, the authority to interpret, implement, and enforce the provisions of the INA was primarily vested in the Attorney General. The Attorney General, in turn, delegated this authority to the Immigration and Naturalization Service (INS) within the Department of Justice. Following the establishment of the Department of Homeland Security (DHS) pursuant to the Homeland Security Act of 2002 (P.L. 107-296), the INS was abolished and its functions were generally transferred to DHS. See 6 U.S.C. § 251. Although the INA still refers to the Attorney General in multiple places, such references are generally (although not universally) taken to mean the Secretary of Homeland Security. See generally CRS Legal Sidebar WSLG553, Does It Matter Whether the INA Says DOJ or DHS?: An Example Involving Revocation of Asylum, by Kate M. Manuel.

<sup>&</sup>lt;sup>23</sup> Haitian Centers Council, Inc. v. McNary, 969 F.2d 1350, 1360 (2d Cir. 1992).

<sup>&</sup>lt;sup>24</sup> Id. ("[W]e reject the government's suggestion that since [the relevant provision of the INA] restricts actions of only the attorney general, the President might in any event assign the same "return" function to some other government official. Congress understood that the President's agent for dealing with immigration matters is the attorney general, and we would find it difficult to believe that the proscription of [the INA]—returning an alien to his persecutors—was forbidden if done by the attorney general but permitted if done by some other arm of the executive branch.").

<sup>&</sup>lt;sup>23</sup> Sale, 509 U.S. at 172

<sup>&</sup>lt;sup>26</sup> Id. at 173. See also INA § 103(a)(1), 8 U.S.C. § 1103(a)(1) ("The Secretary of Homeland Security shall be charged with the administration and enforcement of this chapter and all other laws relating to the immigration and naturalization of aliens, except insofar as this chapter or such laws relate to the powers, functions, and duties conferred upon the President....").

<sup>&</sup>lt;sup>27</sup> INA § 101(a)(13), 8 U.S.C. § 1101(a)(13) (1994).

<sup>28</sup> Sale, 509 U.S. at 174.

<sup>&</sup>lt;sup>29</sup> P.L. 104-208, § 301(a), 110 Stat. 3009-575 (amending Section 101(a)(13) of the INA to define *admission*, instead of (continued...)

Lower court decisions provide some further discussion of exercises of 212(f) authority that would seem to be consistent with Sale. The most recent of these, an unpublished 2003 decision by the Second Circuit in Sesay v. Immigration and Naturalization Service [INS], granted deference to the Board of Immigration Appeals' (BIA's) determination that the alien petitioner was ineligible for asylum because a grant of asylum necessarily requires entry, and the petitioner's entry was barred by Presidential Proclamation 7062. Previously, in its 1992 decision in Haitian Refugee Center, Inc. v. Baker, the U.S. Court of Appeals for the Eleventh Circuit had noted various precedents characterizing the power to exclude aliens from the country as an "inherent executive power" when opining that Section 212(f) "clearly grants the President broad discretionary authority to control the entry of aliens into the United States." A lower court, the U.S. District Court for the Northern District of California, similarly emphasized the breadth of the executive's power over entry in conjunction with its discussion of Section 212(f) in its 1996 decision in Encuentro del Canto Popular v. Christopher, stating,

The exclusion of aliens is a fundamental act of sovereignty. The right to do so stems not alone from legislative power but is inherent in the executive power to control the foreign affairs of the nation. When Congress prescribes a procedure concerning the admissibility of aliens, it is not dealing alone with a legislative power. It is implementing an inherent executive power.<sup>33</sup>

Collectively, Sale and these other decisions suggest that Section 212(f) gives the Executive significant power to bar or impose conditions upon the entry of aliens "on our shores seeking admission" or "on the threshold of initial entry." None of these decisions note any limitations upon the President's power under Section 212(f). This silence could, however, be seen, in part, to reflect the arguably limited nature of the Executive's use of its Section 212(f) authority to date. As **Table 1** below illustrates, prior exercises of presidential authority under Section 212(f) have

(...continued)

entry). See supra note 5.

<sup>&</sup>lt;sup>30</sup> See, e.g., Sesay v. INS, 74 Fed. App'x 84, 86 (2d Cir. 2003) (considering the meaning of "entry" in the course of addressing whether a grant of asylum requires entry into the United States); *Matter of* Rosas-Ramirez, 22 I. & N. Dec. 616, 617 (BIA 1999) (discussing whether adjustment of status while within the United States constitutes an "admission" for purposes of INA § 237(a)(2)(A)(iii), and noting that admission is defined, in part, in terms of "entry").

<sup>&</sup>lt;sup>31</sup> 74 Fed. App'x at 86. The BIA is the highest administrative tribunal for interpreting and applying immigration law. The Second Circuit noted, but did not address, arguments as to the relationship between Sections 212(d) and 212(f) in its decision. The Secretary of Homeland Security's authority to parole aliens into the United States under Section 212(d), however, could be seen as a counterpart to the President's authority under Section 212(f) in that the President may "parole"—or permit the entry into the United States—almost any alien, regardless of whether the alien is subject to one or more of the grounds of inadmissibility set forth in Section 212(a). See INA § 212(d)(5)(A), 8 U.S.C. § 1182(d)(5)(A) ("The Attorney General [later, Secretary of Homeland Security] may [subject to certain restrictions involving refugees and alien laborers] in his discretion parole into the United States temporarily under such conditions as he may prescribe only on a case-by-case basis for urgent humanitarian reasons or significant public benefit any alien applying for admission to the United States....").

<sup>32 953</sup> F.2d 1498, 1506-08 (11th Cir. 1992).

<sup>&</sup>lt;sup>33</sup> 930 F. Supp. 1360, 1365 (N.D. Cal. 1996) (quoting Knauff v. Shaughnessy, 338 U.S. 537 (1949) (upholding the executive branch's determination to exclude the alien wife of a former U.S. servicemember, who was eligible for admission under the War Brides Act of 1945, because of concerns that her admission would endanger public safety)). The Christopher case arose from a challenge to the denial or revocation of visas to certain Cubans pursuant to Presidential Proclamation 5377, which suspended the entry of individuals whom the Secretary of State (or a designee) considered to be officers or employees of the Cuban government or Cuban Communist Party. As the district court noted, although the plaintiffs at times seem to have suggested that Section 212(f) itself is invalid, their argument was best construed as being that Presidential Proclamation 5377 was invalid because it conflicted with Section 901 of the Foreign Relations Authorization Act for FY1988-1989. *Id.* at 1363.

<sup>34</sup> Sale, 509 U.S. at 174.

differed in terms of which and how many aliens are subject to exclusion. In no case to date, though, has the Executive purported to take certain types of action, such as barring all aliens from entering the United States for an extended period of time or explicitly distinguishing between categories of aliens based on their religion. Any such restrictions could potentially be seen to raise legal issues that were not raised by prior exclusions. For example, if the Executive were to seek to bar the entry of all aliens, as immigrants or nonimmigrants, for an extended time, questions could be raised about whether the President's action was consistent with Congress's intent in enacting statutes which prescribe criteria for the issuance of family- and employment-based immigrant and nonimmigrant visas and authorize the issuance of certain numbers of such visas each year. Similarly, if the President were to purport to exclude aliens based on their religion, an argument could potentially be made that this action is in tension with U.S. treaty obligations or the First Amendment. (Distinctions between aliens based on nationality, in contrast, have historically been viewed as a routine feature of immigration legislation and subjected to deferential "rational basis" review by the courts. (18)

Table 1. Categories of Aliens Excluded under INA § 212(f)

Arranged Chronologically, from the Most to the Least Recent, by the Date of Their Publication in the Federal Register

Date & President	Nature of the Exclusion		
2016, Apr. 21 – Obama	Suspending the entry into the United States, as immigrants or nonimmigrants, of		
Executive Order 13726, 81 Fed. Reg. 23559	allens who are determined to have "contributed to the situation in Libya" in specified ways (e.g., engaging in "actions or policies that threaten the peace,		
	security, or stability" of that country or may lead to or result in the		

<sup>&</sup>lt;sup>35</sup> For example, Section 203(a)(1) provides that "[q]ualified immigrants who are the unmarried sons or daughters of citizens of the United States *shall* be allocated visas in a number not to exceed 23,400" (with some additions possible) each year. *See* 8 U.S.C. § 1153(a)(1). "Shall" has been construed to indicate mandatory agency action when used in other contexts. *See*, e.g., Kirtsaeng v. John Wiley & Sons, Inc., 136 S. Ct. 1979, 1983 (2016); Kingdomware Techs., Inc. v. United States, 136 S. Ct. 1969, 1977 (2016); Halo Elecs., Inc. v. Pulse Elecs., Inc., 136 S. Ct. 1923, 1931 (2016).

<sup>&</sup>lt;sup>36</sup> For example, Article 2 of the International Covenant on Civil and Political Rights provides that "[e]ach State Party ... undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind" based on religion, among other things. United Nations, Human Rights, Office of the High Commissioner, International Covenant on Civil and Political Rights, http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx (last accessed: Jan. 14, 2017). The United States ratified this Convention in 1992, with certain reservations, understandings, and declarations. See, e.g., Kristina Ash, U.S. Reservations to the International Covenant on Civil and Political Rights: Credibility Maximization and Global Influence, 3 Nw. J. INT'L HUM. RTS. 1, 2 (2005). However, "Congress has not made the treaty enforceable in U.S. courts," and commentators have disagreed as to whether it or other provisions of law (e.g., the First Amendment) could serve as basis for invalidating the exclusion of certain aliens because of their religion. See, e.g., Debra Cassens Weiss, Would SCOTUS Uphold Trump's Plan to Bar Muslim Immigrants, ABA J., Dec. 9, 2015, http://www.abajournal.com/news/article/would scotus uphold trumps plan to bar muslim\_immigrants.

<sup>&</sup>lt;sup>37</sup> Aliens outside the United States without recognized ties to the country might have difficulty in maintaining such a challenge. *See id.* However, in certain cases, a ban on the entry of persons based on religion could potentially be seen to impinge upon the First Amendment rights of U.S. citizens by, for example, excluding officers and teachers of that religion. *Cf.* Kleindienst v. Mandel, 408 U.S. 753, 762-63 (1972) (recognizing that U.S. persons whose constitutional rights are adversely affected by the denial of a visu way to an alien outside the United States may have the right to challenge the denial in certain circumstances).

<sup>&</sup>lt;sup>38</sup> See, e.g., Rajah v. Mukasey, 544 F.3d 427, 435-36 (2d Cir. 2008) (quoting an earlier decision to the effect that the "most exacting level of scrutiny that we will impose on immigration legislation is rational basis review"); Narenji v. Civiletti, 617 F.2d 745, 748 (D.C. Cir. 1980) ("[C]lassifications among aliens based upon nationality are consistent with due process and equal protection if supported by a rational basis....").

Data & Bussidant	Nature of the Evelusion
Date & President	Nature of the Exclusion
	misappropriation of Libyan state assets)
2016, Mar. 18 – Obama Executive Order 13722, 81 Fed. Reg. 14943	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who are determined to have engaged in certain transactions involving North Korea (e.g., selling or purchasing metal, graphite, coal, or software directly or indirectly to or from North Korea, or to persons acting for or on behalf of the North Korean government or the Workers' Party of Korea)
2015, Nov. 25 – Obama Executive Order 13712, 80 Fed. Reg. 73633	Suspending the entry Into the United States, as Immigrants or nonimmigrants, of aliens who are determined to have "contributed to the situation in Burundi" in specified ways (e.g., engaging in "actions or policies that threaten the peace, security, or stability of Burundi," or "undermine democratic processes or institutions" in that country)
2015, Apr. 2 - Obama Executive Order 13694, 80 Fed. Reg. 18077 (later amended by Executive Order 13757, 82 Fed. Reg. 1 (Jan. 3, 2017))	Suspending the entry into the United States, as Immigrants or nonimmigrants, of aliens who are determined to have engaged in "significant malicious cyber-enabled activities" (e.g., harming or significantly compromising the provision of services by a computer or computer network that supports an entity in a critical infrastructure sector)
2015, Mar. 11 – Obama Executive Order 13692, 80 Fed. Reg. 12747	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who are determined to have "contributed to the situation in Venezuela" in specified ways (e.g., engaging in actions or policies that undermine democratic processes or institutions, significant acts of violence or conduct that constitutes a serious abuse or violation of human rights)
2015, Jan. 6 – Obama Executive Order 13687, 80 Fed. Reg. 819	Suspending the entry Into the United States, as immigrants or nonimmigrants, of aliens with specified connections to North Korea (e.g., officials of the North Korean government or the Workers' Party of Korea)
2014, Dec. 24 – Obama Executive Order 13685, 79 Fed. Reg. 77357	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who are determined to have engaged in certain transactions involving the Crimea region of Ukraine (e.g., materially assisting, sponsoring, or providing financial, material, or technological support for, or goods or services to or in support of, persons whose property or interests are blocked pursuant to the order)
2014, May 15 – Obama Executive Order 13667, 79 Fed. Reg. 28387	Suspending the entry into the United States, as immigrants or nonimmigrants, of allens who are determined to have contributed to the conflict in the Central African Republic in specified ways (e.g., engaging in actions or policies that threaten the peace, security, or stability of that country, or that threaten transitional agreements or the political transition process)
2014, Apr. 7 – Obama Executive Order 13664, 79 Fed. Reg. 19283	Suspending the entry into the United States, as Immigrants or nonlimmigrants, of aliens who are determined to have engaged in certain conduct as to South Sudan (e.g., actions or policies that "have the purpose or effect of expanding or extending the conflict" in that country, or obstructing reconciliation or peace talks or processes)
2014, Mar. 24 – Obama Executive Order 13662, 79 Fed. Reg. 16169	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who are determined to have contributed to the situation in Ukraine in specified ways (e.g., operating in the financial services, energy, metals and mining, engineering, or defense and related material sectors of the Russian Federation economy)
2014, Mar. 19 – Obama Executive Order 13661, 79 Fed. Reg. 15535	Suspending the entry into the United States, as Immigrants or nonimmigrants, of aliens determined to have contributed to the situation in Ukraine in specified ways (e.g., officials of the government of the Russian Federation, or persons who operate in the arms or related materiel sector)
2014, Mar. 10 – Obama Executive Order 13660, 79 Fed.	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens determined to have contributed to the situation in Ukraine In specified ways (e.g., engagement in or responsibility for misappropriation of state assets of

Date & President	Nature of the Exclusion
Reg. 13493	Ukraine or of economically significant entitles in that country)
2013, June 5 – Obama Executive Order 13645, 78 Fed. Reg. 33945	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who have engaged in certain conduct related to Iran (e.g., materially assisting, sponsoring, or providing support for, or goods or services to or in support of, any Iranian person included on the list of Specially Designated Nationals and Blocked Persons)
2012, Oct. 12 – Obama Executive Order 13628, 77 Fed. Reg. 62139	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who are determined to have engaged in certain actions involving Iran (e.g., knowingly transferring or facilitating the transfer of goods or technologies to Iran, to entitles organized under Iranian law or subject to Iranian jurisdiction, or to Iranian nationals, that are likely to be used by the Iranian government to commit serious human rights abuses against the Iranian people)
2012, July 13 – Obama Executive Order 13619, 77 Fed. Reg. 41243	Suspending the entry into the United States, as immigrants or nonimmigrants, of allens who are determined to threaten the peace, security, or stability of Burma in specified ways (e.g., participation in the commission of human rights abuses, or importing or exporting arms or related materiel to or from North Korea)
2012, May 3 – Obama	Suspending the entry into the United States, as immigrants or nonliminigrants, of
Executive Order 13608, 77 Fed. Reg. 26409	allens who are determined to have engaged in certain conduct as to Iran and Syria (e.g., facilitating deceptive transactions for or on behalf of any person subject to U.S. sanctions concerning Iran and Syria)
2012, Apr. 24 – Obama Executive Order 13606, 77 Fed. Reg. 24571	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens determined to have engaged in specified conduct involving "grave human rights abuses by the governments of Iran and Syria via information technology" (e.g., operating or directing the operation of communications technology that facilitates computer or network disruption, monitoring, or tracking that could assist or enable serious human rights abuses by or on behalf of these governments)
2011, Aug. 9 — Obama Proclamation 8697, 76 Fed. Reg. 49277	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who participate in serious human rights and humanitarian law violations and other abuses (e.g., planning, ordering, assisting, aiding and abetting, committing, or otherwise participating in "widespread or systemic violence against any civilian population" based, in whole or in part, on race, color, descent, sex, disability, language, religion, ethnicity, birth, political opinion, national origin, membership in a particular social group, membership in an indigenous group, or sexual orientation or gender identity)
2011, July 27 – Obama Proclamation 8693, 76 Fed. Reg. 44751	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens subject to U.N. Security Council travel bans and International Emergency Economic Powers Act sanctions
2009, Jan. 22 – Bush Proclamation 8342, 74 Fed. Reg. 4093	Suspending the entry into the United States, as immigrants or nonimmigrants, of foreign government officials responsible for falling to combat trafficking in persons
2007. July 3 - Bush Proclamation 8158, 72 Fed. Reg. 36587	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons responsible for policies or actions that threaten Lebanon's sovereignty and democracy (e.g., current or former Lebanese government officials and private persons who "deliberately undermine or harm Lebanon's sovereignty")
2006, May 16 – Bush Proclamation 8015, 71 Fed. Reg. 28541	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons responsible for policies or actions that threaten the transition to democracy in Belarus (e.g., Members of the government of Alyaksandr Lukashenka and other persons involved in policies or actions that "undermine or injure democratic institutions or impede the transition to democracy in Belarus")
2004, Jan. 14 – Bush Proclamation 7750, 69 Fed. Reg.	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons who have engaged in or benefitted from corruption in specified ways (e.g., current or former public officials whose solicitation or acceptance of articles of

Date & President	Nature of the Exclusion		
2287	monetary value or other benefits has or had "serious adverse effects on the national interests of the United States")		
2002, Feb. 26 – Bush Proclamation 7524, 67 Fed. Reg. 8857	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons responsible for actions that threaten Zimbabwe's democratic institutions and transition to a multi-party democracy (e.g., Senior members of the government of Robert Mugabe, persons who through their business dealings with Zimbabwe government officials derive significant financial benefit from policies that undermine or injure Zimbabwe's democratic institutions)		
2001, June 29 — Bush Proclamation 7452, 66 Fed. Reg. 34775	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons responsible for actions that threaten international stabilization efforts in the Western Balkans, or are responsible for wartime atrocities in that region		
2000, Oct. 13 – Clinton Proclamation 7359, 65 Fed. Reg. 60831	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who plan, engage in, or benefit from activities that support the Revolutionary United Front or otherwise impede the peace process in Sierra Leone		
1999, Nov. 17 – Clinton Prodamation 7249, 64 Fed. Reg. 62561	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens responsible for repression of the civilian population in Kosovo or policies that obstruct democracy in the Federal Republic of Yugoslavia (FRY) or otherwise lend support to the government of the FRY and the Republic of Serbia		
1998, Jan. 16 – Clinton Proclamation 7062, 63 Fed. Reg. 2871	Suspending the entry into the United States, as immigrants or nonlmmigrants, of members of the military junta in Sierra Leone and their family		
1997. Dec. 16 – Clinton Proclamation 7060, 62 Fed. Reg. 65987	Suspending the entry into the United States, as immigrants or nonimmigrants, of senior officials of the National Union for the Total Independence of Angola (UNITA) and adult members of their immediate families		
1996, Nov. 26 – Clinton Proclamation 6958, 61 Fed. Reg. 60007	Suspending the entry into the United States, as immigrants or nonimmigrants, of members of the government of Sudan, officials of that country, and members of the Sudanese armed forces		
1996, Oct. 7 – Clinton Proclamation 6925, 61 Fed. Reg. 52233	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons who "formulate, implement, or benefit from policies that impede Burma's transition to democracy" and their immediate family members		
1994, Oct. 27 – Clinton Proclamation 6749, 59 Fed. Reg. 54117	Suspending the entry into the United States, as immigrants or nonimmigrants, of certain aliens described in U.N. Security Council Resolution 942 (e.g., officers of the Bosnian Serb military and paramilitary forces and those acting on their behalf, or persons found to have provided financial, material, logistical, military, or other tangible support to Bosnian Serb forces in violation of relevant U.S. Security Council resolutions)		
1994, Oct. 5 – Clinton Proclamation 6730, 59 Fed. Reg. 50683	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who formulate, implement, or benefit from policies that impede Liberia's transition to democracy and their immediate family		
1994, May 10 - Clinton Proclamation 6685, 59 Fed. Reg. 24337	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens described in U.N. Security Council Resolution 917 (e.g., officers of the Haitian military, including the police, and their immediate families; major participants in the 1991 Haitian coup d'etat)		
1993, Dec. 14 – Clinton Proclamation 6636, 58 Fed. Reg. 65525	Suspending the entry into the United States, as immigrants or nonimmigrants, of aliens who formulate, implement, or benefit from policies that impede Nigeria's transition to democracy and their immediate family		
1993, June 23 – Clinton Praclamation 6574, 58 Fed. Reg.	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons who formulate or benefit from policies that impede Zaire's transition to democracy and their immediate family		

Date & President	Nature of the Exclusion		
34209			
1993, June 7 — Clinton Proclamation 6569, 58 Fed. Reg. 31897	Suspending the entry into the United States, as immigrants or nonimmigrants, of persons who formulate, implement, or benefit from policies that impede the progress of negotiations to restore a constitutional government to Haiti and their immediate family		
1992, June 1 – Bush Executive Order 12807, 57 Fed. Reg. 23133	Making provisions to enforce the suspension of the entry of undocumented allens by sea and the interdiction of any covered vessel carrying such allens		
1988, Oct. 26 – Reagan Proclamation 5887, 53 Fed. Reg. 43184	Suspending the entry of specified Nicaraguan nationals into the United States as nonimmigrants (e.g., officers of the Nicaraguan government or the Sandinista National Liberation Front holding diplomatic or official passports)		
1988. June 14 – Reagan Proclamation 5829, 53 Fed. Reg. 22289	Suspending the entry into the United States, as immigrants or nonimmigrants, of certain Panamanian nationals who formulate or implement the policies Manuel Antonio Noriega and Manuel Solis Palma, and their immediate families		
1986, Aug. 26 — Reagan Proclamation 5517, 51 Fed. Reg. 30470	Suspending the entry of Cuban nationals as immigrants with certain specified exceptions (e.g., Cuban nationals applying for admission as Immediate relatives under INA § 201(b))		
1985, Oct. 10 - Reagan Proclamation 5377, 50 Fed. Reg. 41329	Suspending the entry of specified classes of Cuban nationals as nonimmigrants (e.g., officers or employees of the Cuban government or the Communist Party of Cuba holding diplomatic or official passports)		
1981, Oct. 1 – Reagan Proclamation 4865, 46 Fed. Reg. 48107	Suspending the entry of undocumented aliens from the high seas, and directing the interdiction of certain vessels carrying such aliens		

Source: Congressional Research Service, based on various sources cited in Table 1.

Note: In a number of cases, the exclusions listed in **Table 1** were expressly said to be waivable, in the Executive's discretion, when the entry of a particular allen otherwise subject to exclusion "would not be contrary to the interests of the United States." See, e.g., 50 Fed. Reg. 41329, at § 2 (Oct. 10, 1985).

## Other Provisions of the INA

Beyond Section 212(f), other provisions of the INA can also be seen to authorize the Executive to restrict aliens' entry to the United States.<sup>39</sup> Most notably, Section 214(a)(1) prescribes that the "admission of any alien to the United States as a nonimmigrant shall be for such time and under such conditions as [the Executive] may by regulations prescribe."<sup>40</sup> (Nonimmigrants are aliens admitted to the United States for a specific period of time and purpose pursuant to one of the

<sup>&</sup>lt;sup>39</sup> In addition, yet other provisions of the INA could be seen to give the Executive discretion as to whether certain categories of aliens are admitted. For example, Section 207(a)(2) of the INA could be seen to give the Executive broad discretion in determining how many aliens are admitted to the United States as refugees each year. See 8 U.S.C. § 1157(a)(2). Other provisions outside immigration law could also apply. See National Defense Authorization Act for FY2017, P.L. 114-328, §§ 1261-1265,—Stat.—(Dec. 23, 2016) (sanctions for human rights abusers); Consolidated Appropriations Act, P.L. 114-113, § 7031(c), 129 Stat. 2755 (Dec. 18, 2015) (providing that certain foreign officials involved in "significant corruption" and their immediate family are ineligible for entry to the United States); Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012, P.L. 112-208, §§ 404-406, 126 Stat. 1505-1509 (Dec. 14, 2012) (excluding certain aliens involved in human rights abuses).

"lettered" visas set forth in Section 101(a)(15) of the INA. 41) Section 215(a)(1) similarly provides that "it shall be unlawful for any alien" to enter or depart the United States "except under such reasonable rules, regulations, and orders, and subject to such limitations and exceptions as the President may prescribe." In the past, the Executive has relied upon Section 215(a)(1), in particular, to exclude certain aliens. For example, President Carter cited to Section 215(a) when authorizing the revocation of immigrant and nonimmigrant visas issued to Iranians during the Iran Hostage Crisis. 43

The current Section 215(a) was enacted as part of the INA in 1952.<sup>44</sup> However, similar language appeared in earlier immigration-related statutes.<sup>45</sup> Both the earlier language and the initial version of Section 215(a) granted the President the power to impose additional restrictions upon aliens' entry into and departure from the United States during times of war and, in some cases, "national emergency."<sup>46</sup> The President's exclusion of certain aliens under this authority<sup>47</sup> was upheld in several court cases, the most notable of which was arguably the Supreme Court's 1950 decision in *United States* ex rel. *Knauff v. Shaughnessy.*<sup>48</sup> There, the Court rejected a challenge to the exclusion of a German "war bride" under regulations promulgated pursuant to Presidential Proclamation 2523, which was itself issued under the authority of a predecessor of Section 215(a).<sup>49</sup> In so doing, the Court rejected the excluded bride's argument that both the regulations and the underlying statute constituted an impermissible delegation of legislative power, reasoning that "[t]he exclusion of aliens is a fundamental act of sovereignty. The right to do so stems not

<sup>&</sup>lt;sup>41</sup> Id. § 1101(a)(15) (defining an "immigrant" to mean "every alien except an alien who is within one of the following classes of nonimmigrant aliens....") (emphasis added).

<sup>&</sup>lt;sup>42</sup> Id. § 1184(a)(1)

<sup>&</sup>lt;sup>43</sup> See Executive Order 12172, Delegation of Authority With Respect to Entry of Certain Aliens Into the United States, 44 Fed. Reg. 67947, 67947 (Nov. 28, 1979) (authorizing the Secretary of State and the Attorney General to exercise "in respect of Iranians holding nonimmigrant visas, the authority conferred upon the President by section 215(a)(1) of the Act of June 27, 1952 (8 USC 1185)....") (emphasis added); Executive Order 12206, Amendment of Delegation of Authority with Respect to Entry of Certain Aliens Into the United States," 45 Fed. Reg. 24101, 24201 (Apr. 7, 1980) (amending Executive Order 12172 to cover immigrant, as well as nonimmigrant visas). The exclusion addressed in Sale was also effectuated, in part, under the authority of Section 215(a). See supra note 19.

<sup>44</sup> See P.L. 82-414, § 212(e), 66 Stat. 190 (June 27, 1952).

<sup>&</sup>lt;sup>45</sup> See P.L. 65-164, 40 Stat. 559 (May 22, 1918) ("[W]hen the United States is at war, if the President shall find that public safety requires that restrictions and prohibitions ... be imposed upon the departure of persons from and their entry into the United States, and shall make public proclamation thereof, it shall, until otherwise ordered by the President or Congress, be unlawful [f]or any alien to depart from or enter or attempt to depart from or enter the United States except under such reasonable rules, regulations, and orders, and subject to such limitations and exceptions as the President shall prescribe."); P.L. 77-113, 55 Stat. 252 (June 20, 1941) (similar).

<sup>46</sup> See 66 Stat. 190 (war and national emergency); 55 Stat. 252 (war); 40 Stat. 559 (war).

<sup>&</sup>lt;sup>47</sup> See, e.g., Proclamation 3,004, Control of Persons Leaving or Entering the United States, 18 Fed. Reg. 489 (Jan. 17, 1953) (President Truman relying, in part, on a predecessor to Section 215(a) to impose restrictions on the entry of aliens into the Panama Canal Zone and American Samoa); Proclamation 2,850, 14 Fed. Reg. 5173 (Aug. 19, 1949) (President Truman relying, in part, on a predecessor to Section 215(a) in excluding aliens whose entry executive officials deem "would be prejudicial to the interests of the United States"); Proclamation 2,523, Control of Persons Entering and Leaving the United States, 6 Fed. Reg. 2617 (Nov. 18, 1941) (similar, President Roosevelt).

<sup>&</sup>lt;sup>48</sup> 338 U.S. 537 (1950). See also Shaughnessy v. United States ex rel. Mezei, 345 U.S. 206 (1953) (noting the President's power to exclude aliens in the course of finding that an alien who was so excluded, but whom no other country would accept, was not entitled to release into the United States). The Mezei Court, in particular, cited a number of precedents for the proposition that "the power to expel or exclude aliens [is] a fundamental sovereign attribute exercised by the Government's political departments largely immune from judicial control." 345 U.S. at 210 (citing Harisiades v. Shaughnessy, 342 U.S. 580 (1952); The Chinese Exclusion Case, 130 U.S. 581 (1889); and Fong Yue Ting v. United States, 149 U.S. 698 (1893)).

<sup>49</sup> Knauff, 338 U.S. at 540-42.

from legislative power but is inherent in the executive power to control the foreign affairs of the nation." Therefore, in the Court's view, Congress could not have run afoul of the non-delegation doctrine by authorizing the President to exercise this power "for the best interests of the country" during wartime because the President already possessed such authority. The Knauff Court similarly rejected the argument that the regulations in question were not "reasonable," as required by the statutory authority under which they were issued—which in relevant part, made it unlawful for an alien to enter the United States "except under such reasonable rules ... as the President may prescribe." The Court did so because it viewed the regulations excluding aliens whose entry was "deemed prejudicial to the public interest" as "reasonable in the circumstances of the period for which they were authorized, namely, the national emergency of World War II." \*\*

The statutory language regarding war and national emergency—which arguably factored into the Court's decision in *Knauff*—was deleted from Section 215(a) in 1978.<sup>54</sup> However, it seems unlikely that this deletion would serve as a basis for overruling the *Knauff* Court's conclusions about whether the power in question was impermissibly delegated to the Executive,<sup>55</sup> or about what constitutes a "reasonable" regulation for purposes of Section 215(a).<sup>56</sup> *Knauff's* statements about the inherent power of nations to exclude aliens outside the United States with no recognized ties to the country would also generally seem to remain good law.<sup>57</sup>

#### **Author Contact Information**

Kate M. Manuel Acting Section Research Manager kmanuel@crs.loc.gov, 7-4477

<sup>&</sup>lt;sup>50</sup> Id. at 542.

<sup>&</sup>lt;sup>51</sup> Id. at 542-43 ("[T]here is no question of inappropriate delegation of legislative power involved here."). The non-delegation doctrine precludes Congress from handing over its legislative powers to other branches of the federal government. However, Congress may "confer[] decisionmaking authority upon agencies, so long as it "lays down by legislative act an intelligible principle to which the person or body authorized to [act] is directed to conform." See Whitman v. Am. Trucking Ass'ns, 531 U.S. 457, 472 (2001) (internal quotations omitted).

<sup>52 338</sup> U.S. at 544.

<sup>&</sup>lt;sup>53</sup> Id.

<sup>54</sup> P.L. 95-426, § 707(a), 92 Stat. 992-93 (Oct. 7, 1978).

<sup>&</sup>lt;sup>55</sup> Cf. Cass R. Sunstein, Nondelegation Canons, 67 U. CHI. L. REV. 315, 315 (2000) ("Since 1935, the Supreme Court has not struck down an act of Congress on nondelegation grounds....").

<sup>&</sup>lt;sup>56</sup> There does not appear to be any court cases establishing what is meant by the term "reasonable regulations" for purposes of Section 215(a) and its predecessors. However, courts may grant considerable deference to the Executive's determinations in this area, given the "plenary power" that the political branches are generally seen to have over immigration. See, e.g., Mathews v. Diaz, 426 U.S. 67, 81 (1976) ("For reasons long recognized as valid, the responsibility for regulating the relationship between the United States and our alien visitors has been committed to the political branches of the Federal Government.").

<sup>&</sup>lt;sup>57</sup> See, e.g., Jean v. Nelson, 472 U.S. 847, 875 (1985) ("It is in the area of entry) that the Government's interest in protecting our sovereignty is at its strongest and that individual claims to constitutional entitlement are the least compelling."); Fiallo v. Bell, 430 U.S. 787, 792 (1977) (citing cases finding that the power to exclude is a "fundamental sovereign attribute"); Kleindeinst v. Mandel, 408 U.S. 753, 765 (similar) (1972). Certain limits to this power have, however, been recognized, particularly as to aliens with recognized ties to the United States or who would need to be detained in the United States to effectuate their exclusion. See, e.g., CRS Legal Sidebar WSLG1695, Supreme Court to Hear Challenge to Aliens' Detention Pending Removal Proceedings, by Kate M. Manuel.

## Gillispie, Anna E

From:

Cummings, Kevin J

Sent:

Sunday, January 29, 2017 5:30 AM

To:

Levine, Laurence D;-Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

**RE: Executive Order** 

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Sliwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

.

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Sure thing...will take a look tomorrow morning.

Samantha Deshommes

Chief, Regulatory Coordination Division-

USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud

Associate Director | Field Operations Directorate

### U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017\_12:16:07.PM\_

**To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b))(6

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From: Valverde, Michael

Sent: Saturday, January 28, 2017 11:42 AM To: Renaud, Daniel M; Kvortek, Lisette E Cc: Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?

2. Should we deschedule oath ceremonies for individuals from the 7?

3. How do we handle N-400s 120+ days from interview?

4. Should we stop RFEs?

5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna⁻

Joanna Ruppel

Chief, International Operations Division U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud Associate Director, Field Operations Di Department of Homeland Security   U.		Services
From: Scialabba, Lori L Sent: Friday, January.27, 2017-12: To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Dona Subject: FW: Executive Order		(b))(5)
FYI. I think Andrew might be right	in terms of what is meant bu	ut
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12: To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Da Subject: Executive Order		
Tracy,		
today at 4:30pm. In complying with day suspension of processing immi	the EA I believe we need in grants and non-immigrants t resident applications. Thou	
our product lines. If this is the case	then Don and Dan Will need	We just need to clarify if by extension this applies to to get guidance to the Field to put these adjudications
	spension that appears fully d	deployed on our end this appears the most urgent
Thanks,		
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security U.S. Citizenship and Immigration Servic U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529	es	
	( <b>b</b> ))(6)	

### Gillispie, Anna E

From:

Tynan, Natalie S

Sent:

Saturday, January 28, 2017 9:47 AM

~To:~

Levine, Laurence D; Rather, Michael B; Deshommes, Samantha L; Rigdon, Jerry L

Subject:

RE: Maybe we've done this

Honestly with the one that came out yesterday, arguably all forms have to be revised to ask about the "national security" questions. The torrent of issues under that section in the EO could potentially require a change in every form.

Social media vetting will likely also be a part of this. CBP's ESTA form was recently revised to include an optional question about social media handles. If they privacy act application chances, questions like that can go on every form.

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 9:31:07 AM

To: Tynan, Natalie S; Rather, Michael B; Deshommes, Samantha L; Rigdon, Jerry L

Subject: Maybe we've done this

But, at least with the three EOs out there, let's make a list of all the regs and forms we can reasonably expect will be needed from them. Can you all look through them and make a list to be reviewed and amended (if necessary) by the other Chiefs. We should keep an eye on the drafts too - that's where the real torrential work lies - but for now, let's stick to what's been signed.

Thanks, Larry

Larry Levine
Senior Advisor to the Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Sent:	Tynan, Natalie S Friday, January 27, 2017 7:22 PM
To:	Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y Levine, Laurence D; Rather, Michael B
Subject:	RE: Two Questions
-	elow includes a directive to evaluate the applicant's likelihood of becoming a positively of society and the applicant's ability to make contributions to the national interest.
N	
Natalie S. Tynan Senior Advisor USCIS, Office of Policy 20 Massachusetts Ave Washington, DC	<del></del>
	(b))(6)
A; Hamilton, Cristina A Rigdon, Jerry L; Silwar	27, 2017 8:06 PM E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen ; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; by, Oscar Y C (Laurence.D.Levine@uscis.dhs.gov); Rather, Michael B
any questions or imme	executive order signed early this evening by the President. Please let me, Mike and Larry know if ediate impacts to policy come to mind. Next week, we may want to consider pulling relevant art thinking about new guidance that will have to be issued. Hopefully we will have more
In the meantime, plea	se send any questions!
Thanks, Natalie	
Here is a quick summa	ry (please read the entire document – I tried to hit the "highlights"):

- 1. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. There are review and reporting requirements that shall be completed within 30 days and additional follow up reporting requirements. While the review is conducted, the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), is suspended for 90 days. The Secretary shall provide a list of countries that do not provided necessary information to adjudicate and additional countries may be added. Visas may be issued to nationals of "blocked" countries in the national interest.
- 2. Implementing Uniform Screening Standards for All Immigration Programs A program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission will be created and will include development of a uniform screening standard and procedure; a database of identity documents proffered by applicants; amended application forms with questions aimed at identifying fraudulent answers and malicious intent; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
- 3. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. Suspension of the U.S. Refugee Admissions Program (USRAP) for 120 days for review of the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States. After 120 days, USRAP admissions resume for nationals of countries for which have been determined that such additional procedures are adequate to ensure the security and welfare of the United States. Refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality will be prioritized. Admission of refugees from Syria will be suspended. The refugee limit will be 50,000 for fiscal year 2017.
- 4. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.
- 5. Expedited Completion of the Biometric Entry-Exit Tracking System.
- 6. <u>Visa Interview Security</u>. The visa interview waiver program is suspended to ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.
- 7. <u>Visa Validity Reciprocity</u>. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal.

Senior Advisor
USCIS, Office of Policy & Strategy
20 Massachusetts Ave.
Washington, DC

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# THE WHITE HOUSE Office of the Press Secretary

For Immediate Release

January 27, 2017

### EXECUTIVE ORDER

### PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Immigration and Nationality Act (INA), 8 U.S.C. 1101 et seq., and section 301 of title 3, United States Code, and to protect the American people from terrorist attacks by foreign nationals admitted to the United States, it is hereby ordered as follows:

Section 1. Purpose. The visa-issuance process plays a crucial role in detecting individuals with terrorist ties and stopping them from entering the United States. Perhaps in no instance was that more apparent than the terrorist attacks of September 11, 2001, when State Department policy prevented consular officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder nearly 3,000 Americans. And while the visa-issuance process was reviewed and amended after the September 11 attacks to better detect would-be terrorists from receiving visas, these measures did not stop attacks by foreign nationals who were admitted to the United States.

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visaissuance process to ensure that those approved for admission

do not intend to harm Americans and that they have no ties to terrorism.

In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law. In addition, the United States should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation.

- Sec. 2. Policy. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.
- Sec. 3. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. (a) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall immediately conduct a review to determine the information needed from any country to adjudicate any visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public-safety threat.
- (b) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the President a report on the results of the review described in subsection (a) of this section, including the Secretary of Homeland Security's determination of the information needed for adjudications and a list of countries that do not provide adequate information, within 30 days of the date of this order. The Secretary of Homeland Security shall provide a copy of the report to the Secretary of State and the Director of National Intelligence.
- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in

subsection (a) of this section, to ensure the proper review and maximum utilization\_of\_available-resources-for-the-screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

- (d) Immediately upon receipt of the report described in subsection (b) of this section regarding the information needed for adjudications, the Secretary of State shall request all foreign governments that do not supply such information to start providing such information regarding their nationals within 60 days of notification.
- (e) After the 60-day period described in subsection (d) of this section expires, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the President a list of countries recommended for inclusion on a Presidential proclamation that would prohibit the entry of foreign nationals (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas) from countries that do not provide the information requested pursuant to subsection (d) of this section until compliance occurs.
- (f) At any point after submitting the list described in subsection (e) of this section, the Secretary of State or the Secretary of Homeland Security may submit to the President the names of any additional countries recommended for similar treatment.
- (g) Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration

benefits to nationals of countries for which visas and benefits are otherwise blocked.

- (h) The Secretaries of State and Homeland Security shall submit to the President a joint report on the progress in implementing this order within 30 days of the date of this order, a second report within 60 days of the date of this order, a third report within 90 days of the date of this order, and a fourth report within 120 days of the date of this order.
- Sec. 4. Implementing Uniform Screening Standards for All Immigration Programs. (a) The Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation shall implement a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission. This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
- (b) The Secretary of Homeland Security, in conjunction with the Secretary of State, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall submit to the President an initial report on the progress of this directive within 60 days of the date of this order, a second report within 100 days of the date of this order, and a third report within 200 days of the date of this order.
- Sec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. (a) The Secretary of State shall suspend the U.S. Refugee Admissions Program (USRAP) for 120 days. During the 120-day period, the Secretary of State, in

conjunction with the Secretary of Homeland Security and in consultation with the Director of National-Intel-ligence, shall -review-the-USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States, and shall implement such additional procedures. Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures. date that is 120 days after the date of this order, the Secretary of State shall resume USRAP admissions only for nationals of countries for which the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States.

- (b) Upon the resumption of USRAP admissions, the Secretary of State, in consultation with the Secretary of Homeland Security, is further directed to make changes, to the extent permitted by law, to prioritize refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality. Where necessary and appropriate, the Secretaries of State and Homeland Security shall recommend legislation to the President that would assist with such prioritization.
- (c) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of nationals of Syria as refugees is detrimental to the interests of the United States and thus suspend any such entry until such time as I have determined that sufficient changes have been made to the USRAP to ensure that admission of Syrian refugees is consistent with the national interest.
- (d) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of more than 50,000 refugees in fiscal year 2017 would be detrimental to the interests of the United States, and thus suspend any such entry until such time as I determine that additional admissions would be in the national interest.
- (e) Notwithstanding the temporary suspension imposed pursuant to subsection (a) of this section, the Secretaries of

State and Homeland Security may jointly determine to admit individuals to the United States as refugees\_on\_a-case-by-case-basis,—in—their—discretion, but only so long as they determine that the admission of such individuals as refugees is in the national interest -- including when the person is a religious minority in his country of nationality facing religious persecution, when admitting the person would enable the United States to conform its conduct to a preexisting international agreement, or when the person is already in transit and denying admission would cause undue hardship -- and it would not pose a risk to the security or welfare of the United States.

- (f) The Secretary of State shall submit to the President an initial report on the progress of the directive in subsection (b) of this section regarding prioritization of claims made by individuals on the basis of religious-based persecution within 100 days of the date of this order and shall submit a second report within 200 days of the date of this order.
- (g) It is the policy of the executive branch that, to the extent permitted by law and as practicable, State and local jurisdictions be granted a role in the process of determining the placement or settlement in their jurisdictions of aliens eligible to be admitted to the United States as refugees. To that end, the Secretary of Homeland Security shall examine existing law to determine the extent to which, consistent with applicable law, State and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions, and shall devise a proposal to lawfully promote such involvement.
- Sec. 6. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.
- Sec. 7. Expedited Completion of the Biometric Entry-Exit Tracking System. (a) The Secretary of Homeland Security shall expedite the completion and implementation of a biometric entry-exit tracking system for all travelers to the United States, as recommended by the National Commission on Terrorist Attacks Upon the United States.

- (b) The Secretary of Homeland Security shall submit to the President periodic reports on the progress\_of\_the\_directive\_contained\_in\_subsection (a) of this section. The initial report shall be submitted within 100 days of the date of this order, a second report shall be submitted within 200 days of the date of this order, and a third report shall be submitted within 365 days of the date of this order. Further, the Secretary shall submit a report every 180 days thereafter until the system is fully deployed and operational.
- Sec. 8. Visa Interview Security. (a) The Secretary of State shall immediately suspend the Visa Interview Waiver Program and ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.
- (b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic ability, to ensure that non-immigrant visa-interview wait times are not unduly affected.
- Sec. 9. Visa Validity Reciprocity. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal insofar as practicable with respect to validity period and fees, as required by sections 221(c) and 281 of the INA, 8 U.S.C. 1201(c) and 1351, and other treatment. If a country does not treat United States nationals seeking nonimmigrant visas in a reciprocal manner, the Secretary of State shall adjust the visa validity period, fee schedule, or other treatment to match the treatment of United States nationals by the foreign country, to the extent practicable.
- Sec. 10. Transparency and Data Collection. (a) To be more transparent with the American people, and to more effectively implement policies and practices that serve the national interest, the Secretary of Homeland Security, in consultation with the Attorney General, shall, consistent with

applicable law and national security, collect and make publicly available within 180-days, and every 180 days thereafter:

- (i) information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons since the date of this order or the last reporting period, whichever is later;
- (ii) information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States, since the date of this order or the last reporting period, whichever is later; and
- (iii) information regarding the number and types of acts of gender-based violence against women, including honor killings, in the United States by foreign nationals, since the date of this order or the last reporting period, whichever is later; and
- (iv) any other information relevant to public safety and security as determined by the Secretary of Homeland Security and the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.
- (b) The Secretary of State shall, within one year of the date of this order, provide a report on the estimated long-term costs of the USRAP at the Federal, State, and local levels.
- Sec. 11. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:
  - (i) the authority granted by law to an executive department or agency, or the head thereof; or

- (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
January 27, 2017.

# # #

## Gillispie, Anna E

From: Rigdon, Jerry L

Sent: Wednesday, February 08, 2017 10:01 AM

**To:** Moulton, Shayla S

Cc: Deshommes, Samantha L; Tynan, Natalie S; Rather, Michael B; Kvortek, Steven P (Steve);

Greeley, Kevin A; Ramsay, John R

Subject: Clarification on Scope of Section 4a

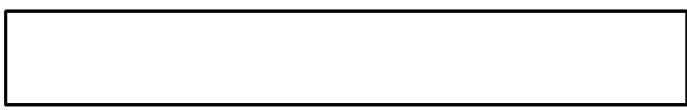
Good Morning, Shayla,

OP&S would like to obtain clarification on the overall scope of section 4a. If we adhere to the specific wording of the EO, the number of forms that might need to be considered will be significantly reduced. (Many thanks to Kevin Greeley for providing the following analysis.)

Section 4(a) starts off focusing specifically on USCIS implementing "a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission."

Going back to the argument of using the plain language of the EO, to ensure that we don't go outside of the legal scope, the first part of this seems to focus on "individuals seeking to enter the United States." The second part seems to focus on individuals "who are at risk of causing harm subsequent to their admission."

(b)(5)



"Admission" is defined in the INA as:

- (13)(A) The terms "admission" and "admitted" mean, with respect to an alien, the lawful entry of the alien into the United States after inspection and authorization by an immigration officer.
- (B) An alien who is paroled under section 212(d)(5) or permitted to land temporarily as an alien crewman shall not be considered to have been admitted.
- (C) An alien lawfully admitted for permanent residence in the United States shall not be regarded as seeking an admission into the United States for purposes of the immigration laws unless the alien-
- (i) has abandoned or relinquished that status,
- (ii) has been absent from the United States for a continuous period in excess of 180 days,
- (iii) has engaged in illegal activity after having departed the United States,
- (iv) has departed from the United States while under legal process seeking removal of the alien from the United States, including removal proceedings under this Act and extradition proceedings,
- (v) has committed an offense identified in section 212(a)(2), unless since such offense the alien has been granted relief under section 212(h) or 240A(a), or

(vi) is attempting to enter at a time or place other than as designated by immigration officers or has not been admitted to the United States after inspection and authorization by an immigration officer.

The same legal question exists for the other forms already identified.

Shayla – Has this previously been discussed amongst the WG leads? If not, should we get a legal interpretation from OC or even raise the question to Julie Farnam?		
Thanks, Jerry	· .	
Jerry Rigdon	•	
Deputy Chief, Regulatory Coordination Division Office of Policy and Strategy USCIS Headquarters		
(b)(6)	·	

Gillispie, Anna E	·
From:	Rigdon, Jerry L
Sent:	Wednesday, February 08, 2017 9:19 AM
-To:	Levine, Laurence D; Tynan, Natalie S
Cc:	Deshommes, Samantha L
Subject:	FW: Executive Order: Form Revisions Working Group - Meeting Minutes
Good Morning,	
Nation" E.O. (See red fe	reat point about how USCIS should interpret the scope of section 4a of the "Protecting the ont portion of email below.) Since clarifying the scope of this section is vital, I propose that we ough the Forms Changes WG lead to Julie Farnam. Please let me know if you agree or if you have
Thanks,	
Jerry	
Jerry Rigdon Deputy Chief, Regulatory Office of Policy and Strat USCIS Headquarters	
OSCIS rieauquarters	
	(b))(6)
From: Greeley, Kevin A	
Sent: Wednesday, Febru	ary 08, 2017 10:08 AM
	rtek, Steven P (Steve); Ramsay, John R
Subject: RE: Executive	Order: Form Revisions Working Group - Meeting Minutes
proactively raise this to t	ves (and potentially OP&S management) concur with my interpretation, then I think we should the WG leads for consideration. I don't know if FNDS will necessarily agree, since it might scope of the forms that FDNS predesignated. However, FDNS and adjudications often have tain matters.
I would defer to the grou	up, and Jerry specifically as a management POC, as to the best course of action.
Thanks!	
Kevin Greeley	
Adjudications Officer	
DHS   USCIS	
Office of Policy & Strat	regy (OP&S)
•	nefits Integrity Division (NSBI)

(b)(6)

Sent: Wednesday, February 0: To: Greeley, Kevin A; Kvortek,	8, 2017 10:04 AM Steven P (Steve); Ramsay, John R
Subject: RE: Executive Order:	: Form Revisions Working Group - Meeting Minutes
Kevin – This is a great catch!	
I propose that we send Kevin's	write-up to Shayla with a request to get Julie's take on the scope of 4a.
Thoughts?	
Jerry Rigdon	
Deputy Chief, Regulatory Coor	dination Division
Office of Policy and Strategy USCIS Headquarters	
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	(b))(6)
From: Greeley, Kevin A	
Sent: Wednesday, February 0	
	Rigdon, Jerry L; Ramsay, John R
Subject: RE: Executive Order:	: Form Revisions Working Group - Meeting Minutes
However, I didn't raise this poi	int in the Forms-WG, which is what your notes cover. I only raised it in the Interview
•	ed below haven't been presented to the Forms WG for consideration.
•	
I wanted to raise it to the OP&	S POCs included here for contemplation.
Thanks!	
Kevin Greeleu	
Adjudications Officer	
DHS USCIS	
Office of Policy & Strategy (	OP&S)
National Security & Benefits	•
Trainer a december of the first	
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	( <b>b</b> )(6)
From: Kvortek, Steven P (Stev	/e)
Sent: Wednesday, February 0	8, 2017 9:17 AM
<b>To:</b> Greeley, Kevin A; Rigdon, <b>Subject:</b> RE: Executive Order:	Jerry L; Ramsay, John R : Form Revisions Working Group - Meeting Minutes
	oture this in the notes but didn't expound upon the context of your comments at the working
group meeting. I'll revise the m	neeting minutes to include this clarification.
-Steve	
	<del></del>
From: Greelev. Kevin A	

Sent: Wednesday, February 08, 2017 9:02 AM

To: Kvortek, Steven P (Steve); Rigdon, Jerry L; Ramsay, John R

Subject: RE: Executive Order: Form Revisions Working Group - Meeting Minutes

Hi, Steve. I don't have any suggested edits or additions. Although, something to consider for the OP&S POCs, is something I didn't raise until the Interview WG.

Section 4(a) starts off focusing specifically on USCIS implementing "a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission."

Going back to the argument of using the plain language of the EO, to ensure that we don't go outside of the legal scope, the first part of this seems to focus on "individuals seeking to enter the United States." The second part seems to focus on individuals "who are at risk of causing harm subsequent to their admission."

(b)(5)

#### "Admission" is defined in the INA as:

- (13)(A) The terms "admission" and "admitted" mean, with respect to an alien, the lawful entry of the alien into the United States after inspection and authorization by an immigration officer.
- (B) An alien who is paroled under section 212(d)(5) or permitted to land temporarily as an alien crewman shall not be considered to have been admitted.
- (C) An alien lawfully admitted for permanent residence in the United States shall not be regarded as seeking an admission into the United States for purposes of the immigration laws unless the alien-
  - (i) has abandoned or relinquished that status,
  - (ii) has been absent from the United States for a continuous period in excess of 180 days,
  - (iii) has engaged in illegal activity after having departed the United States,
- (iv) has departed from the United States while under legal process seeking removal of the alien from the United States, including removal proceedings under this Act and extradition proceedings,
- (v) has committed an offense identified in section 212(a)(2), unless since such offense the alien has been granted relief under section 212(h) or 240A(a), or
- (vi) is attempting to enter at a time or place other than as designated by immigration officers or has not been admitted to the United States after inspection and authorization by an immigration officer.

The same legal question exists for other forms already identified.

I should have raised this in the first WG, but it didn't strike me until the second WG. Regardless of what the intent might have been with the EO, I think we need to stick with the specific language. This is why it is essential to have knowledgeable immigration experts involved in drafting and reviewing EOs before they are signed. I think if we adhere to the specific wording of the EO, the scope of forms that might need to be considered will be significantly reduced.

I appreciate any thoughts you have on this in advance of the next WG meeting.

Thanks. Kevin Greeley Adjudications Officer DHS | USCIS Office of Policy & Strategy (OP&S) National Security & Benefits Integrity Division (NSBI) (b)(6) From: Kvortek, Steven P (Steve) Sent: Tuesday, February 07, 2017 5:41 PM To: Rigdon, Jerry L; Greeley, Kevin A; Ramsay, John R Subject: RE: Executive Order: Form Revisions Working Group - Meeting Minutes Thank you, Jerry. I appreciate the review and input. From: Rigdon, Jerry L Sent: Tuesday, February 07, 2017 5:37:07 PM To: Kvortek, Steven P (Steve); Greeley, Kevin A; Ramsay, John R Subject: FW: Executive Order: Form Revisions Working Group - Meeting Minutes Steve, I added a few edits. Thanks, Jerry Jerry Rigdon

Deputy Chief, Regulatory Coordination Division

Office of Policy and Strategy

**USCIS** Headquarters

OSCIS Hedaquarters

(b)(6)

From: Kvortek, Steven P (Steve)

**Sent:** Tuesday, February 07, 2017 4:34 PM **To:** Greeley, Kevin A; Rigdon, Jerry L

Subject: Executive Order: Form Revisions Working Group - Meeting Minutes

Kevin and Jerry,

Please see the attached draft meeting minutes of this morning's *EO*: Form Revisions working group meeting. If there is any additional information or changes that should be included, please advise and I'll update the notes.

Thank you,

### Steve

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Sent:	Tynan, Natalie S Thursday, February 09, 2017 11:31 AM
_To:	Levine, Laurence D; Rather, Michael B
Subject:	Questions on Section 4a of EO #3
Immigration Program	ised issues related to section 4a of executive order #3 – Implementing Uniform Standards for All s. It looks like there are at least two working groups focused on this section – the forms revisions I the interview (headed by FOD).
Here are the two que	stions:
a. Jerry b. We d 2. Is there a unif a. Kevin up to there	eporting structure for the WGs?  understands that anything produced by the forms WG will be sent to a Tiger Team at DHS.  o not have visibility into that reporting structure or members of the Tiger Team.  orm interpretation of section 4a?  and Jerry are concerned that the scope of the WGs looking at 4a is too large. I know we raised this FDNS; however, Kevin is on two WGs looking at this provision and from his report, it sounds like is not a universal understanding or interpretation of section 4a.  s raise significant issues and that OP&S should at least be on record as having raised them. We ly to Julie or they could be raised in a FO meeting. I wanted to get your thoughts on this – our
OP&S colleagues are	
N	
Natalie S. Tynan Senior Advisor USCIS, Office of Policy 20 Massachusetts Ave	<u>-</u> .

Gillispie, Anna E

Washington, DC

(b)(6)

Sent:		Moulton, Shayla S Wednesday, February 08, 2017 10:02 AM
_То; Сс:		Deshommes, Samantha L; Tynan, Natalie S; Rather, Michael B; Kvortek, Steven P (Steve)
Subject	) » •	Greeley, Kevin A; Ramsay, John R; Temple, Mark C RE: Clarification on Scope of Section 4a
Adding	Mark Temple	
Special	Moulton Assistant, HQFDN States Citizenship a	NS Front Office and Immigration Services  (b)(6)
	uiton, Shayla S	nry 08, 2017 11:01 AM
Cc: Des John R Subjec	t: Clarification on S	
Cc: Des John R Subject Good N	t: Clarification on S	na L; Tynan, Natalie S; Rather, Michael B; Kvortek, Steven P (Steve); Greeley, Kevin A; Ramsa Scope of Section 4a
Cc: Des John R Subject Good N OP&S v the nur	thommes, Samanth t: Clarification on S forning, Shayla, rould like to obtain	na L; Tynan, Natalie S; Rather, Michael B; Kvortek, Steven P (Steve); Greeley, Kevin A; Ramsar Scope of Section 4a I clarification on the overall scope of section 4a. If we adhere to the specific wording of the EC might need to be considered will be significantly reduced. (Many thanks to Kevin Greeley for
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"Admission" is defined in the INA as:

- (13)(A) The terms "admission" and "admitted" mean, with respect to an alien, the lawful entry of the alien into the United States after inspection and authorization by an immigration officer.
- (B) An alien who is paroled under section 212(d)(5) or permitted to land temporarily as an alien crewman shall not be considered to have been admitted.

(C) An alien lawfully admitted for permanent residence in the U	United States shall not be regarded as
seeking an admission into the United States for purposes of the	e immigration laws unless the alien-

- (i) has abandoned or relinquished that status,
- (ii) has been absent from the United States for a continuous period in excess of 180 days,
- (iii) has engaged in illegal activity after having departed the United States,
- (iv) has departed from the United States while under legal process seeking removal of the alien from the United States, including removal proceedings under this Act and extradition proceedings,
- (v) has committed an offense identified in section 212(a)(2), unless since such offense the alien has been granted relief under section 212(h) or 240A(a), or
- (vi) is attempting to enter at a time or place other than as designated by immigration officers or has not been admitted to the United States after inspection and authorization by an immigration officer.

The same legal question exists for the other forms already identified.

Shayla – Has this previously been discussed amongst the WG leads? If not, should we get a legal interpretation from OCC or even raise the question to Julie Farnam?

Thanks;	
Jerry	
Jerry Rigdon	
Deputy Chief, Regulatory Coord	lination Divisior
Office of Policy and Strategy	
USCIS Headquarters	
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### Gillispie, Anna E

From:

Greeley, Kevin A

Sent:

Wednesday, February 08, 2017 7:19 AM

To:-

Rigdon, Jerry L; Tynan, Natalie S; Deshommes, Samantha L; Rather, Michael B-

Cc:

Ramsay, John R; Kvortek, Steven P (Steve); Hamilton, Cristina A

**Subject:** 

RE: Working Groups related to EOs

Hi, Natalie. In addition to the information that Jerry provided below, which includes NSBI coverage on the Forms WG, please note the following:

- From various WG discussions, it appears that there is a separate WG for each piece of Section 4(a) of the travel ban EO. This surprises me and I'm not sure if we have visibility into every WG at this time since that would add up to possibly 6 WGs just for that section of the EO.
- Steve and I are also participating in a WG for Interviews for that same EO.
- Nicole Rosich, a detailee for NSBI, is participating in the NTA WG.

That is all the information that I have at this time, unless Steve has any additional information to share.

Thanks!

Kevin Greeley

**Adjudications Officer** 

DHS | USCIS

Office of Policy & Strategy (OP&S)

National Security & Benefits Integrity Division (NSBI)

(b)(6)

From: Rigdon, Jerry L

Sent: Tuesday, February 07, 2017 12:41 PM

**To:** Tynan, Natalie S; Deshommes, Samantha L; Rather, Michael B **Cc:** Ramsay, John R; Kvortek, Steven P (Steve); Greeley, Kevin A

Subject: RE: Working Groups related to EOs

Natalie,

Here is the information for the EOWG John and I are on. (Steve K. and Kevin G. are also members.)

EO: Protecting the Nation from Foreign Terrorist Entry into the United States

WG Name: Executive Order Immigration Forms Working Group

WG Lead: Shayla Moulton, USCIS FDNS

Who: Representatives from: FDNS, FOD, SCOPS, RAIO, and OP&S

OP&S Reps: Jerry Rigdon, John Ramsay, Steve Kvortek, and Kevin Greeley

This WG is tasked with determining options to meet the requirement of 4(a) in the EO. ("...amended application forms that include questions aimed at identifying fraudulent answers and malicious intent.")

The first meeting was held 2/7/17. WG's first FO deadline is to develop a proposal for submission to Julie Farnam 2/17/17.

Jerry

Jerry Rigdon

Deputy Chief, Regulatory Coordination Division

Office of Policy and Strategy-----

**USCIS Headquarters** 

(b)(6)

From: Tynan, Natalie S

**Sent:** Tuesday, February 07, 2017 12:19 PM **To:** Deshommes, Samantha L; Rather, Michael B

Cc: Rigdon, Jerry L; Ramsay, John R

**Subject:** RE: Working Groups related to EOs

Thanks so much Sam! This is very helpful.

Natalie S. Tynan
Senior Advisor
USCIS, Office of Policy & Strategy
20 Massachusetts Ave.
Washington, DC



(b)(6)

From: Deshommes, Samantha L

**Sent:** Tuesday, February 07, 2017 12:15 PM **To:** Tynan, Natalie S; Rather, Michael B

Cc: Rigdon, Jerry L; Ramsay, John R; Deshommes, Samantha L

Subject: RE: Working Groups related to EOs

Hi Natalie and Mike,

So far, RCD is included on two work-groups or sub-groups. Jerry and John are participating in one, and I'm participating in the other. I'll leave it to them to describe the charter, etc. of the work/sub-group they are participating in.

Name: DHS-wide "Regulatory Efforts" IPT/Sub-working Group related to implementation of the three immigration

**Executive Orders** 

Lead: Christina McDonald, DHS OGC

Who: Regulatory Coordinators and APA-attorneys across USCIS, ICE, and CBP

**OP&S Rep: Samantha Deshommes** 

1<sup>st</sup> task: To examine the three EOs jointly and to note (1) each regulation required by the three new immigration Executive Orders, and (2) the component responsible for each regulation

Outcome: Attached is what was provided to Joe Maher, Principal Deputy General Counsel (and Acting Chief Counsel)

Next steps: Unclear; I would imagine it depends on final policy decisions made at the Department level

Again, I'll let Jerry and/or John provide input on the other WG RCD has been pulled into.

As we discussed, until a definitive regulation or Information Collection change (i.e. "Form Change" or "PRA Change") is specified, RCD is a participant. Once a regulatory project, with a clear scope and goal, is greenlight by senior leadership, then RCD takes over in "leading" that particular project's working group. The same process holds true for PRA Actions.

Hope this helps, and please let me know if you have any question	s on the above.
--	-----------------

Thanks,
Sam

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS Office of Policy & Strategy

(b)(6)

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Tynan, Natalie S

Sent: Tuesday, February 07, 2017 11:15 AM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Cc: Levine, Laurence D

Subject: Working Groups related to EOs

Hi all – could you please send me and Mike a list of working groups and the names of OP&S POCs for those WGs related to the three executive orders? I know that we are tasked by the FO with leading two (Parole and NTA policy), but I suspect that we are being pulled into other ones.

Please let me know if you have any questions.

Thanks,

N

Natalie S. Tynan Senior Advisor USCIS, Office of Policy & Strategy 20 Massachusetts Ave. Washington, DC



(b)(6)

From:	Rigdon, Jerry L
Sent:	Tuesday, February 07, 2017 11:41 AM
To:	Tynan, Natalie S; Deshommes, Samantha L; Rather, Michael B
Cc:	Ramsay, John R; Kvortek, Steven P (Steve); Greeley, Kevin A
Subject:	RE: Working Groups related to EOs
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_	Foreign Terrorist Entry into the United States
	migration Forms Working Group
WG Lead: Shayla Moulton, USC	
	DNS, FOD, SCOPS, RAIO, and OP&S
UP&3 Reps: Jerry Rigdon, John	Ramsay, Steve Kvortek, and Kevin Greeley
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Jerry	
Jerry Rigdon	lination Division
Deputy Chief, Regulatory Coord Office of Policy and Strategy	" " " " " " " " " " " " " " " " " " "
USCIS Headquarters	·
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From: Tynan, Natalie S Sent: Tuesday, February 07, 20 To: Deshommes, Samantha L; I Cc: Rigdon, Jerry L; Ramsay, Jo Subject: RE: Working Groups r	Rather, Michael B phn R
Thanks so much Sam! This is ve	•
rnamė se mach sami: 1105 is ve	a tracks are
Natalie S. Tynan	
Senior Advisor	
USCIS, Office of Policy & Strateg	39
20 Massachusetts Ave.	
Washington, DC	
	( <b>b</b> )(6)

From: Deshommes, Samantha L

**Sent:** Tuesday, February 07, 2017 12:15 PM **To:** Tynan, Natalie S; Rather, Michael B

Cc: Rigdon, Jerry L; Ramsay, John R; Deshommes, Samantha L

Subject: RE: Working Groups related to EOs-

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Hope this helps, and please let me know if you have any questions on the above.

Thanks,

Sam

Samantha Deshommes Chief, Regulatory Coordination Division USCIS. Office of Policy & Strategy

(**b**)(**6**)

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

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Sent: Tuesday, February 07, 2017 11:15 AM

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Rigdon, Jerry L; Silwany, Oscar Y

Cc: Levine, Laurence D

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	Please let me know if you have any questions.		
	Thanks,		
	N .		
_	3		
	Natalie S. Tynan		
	Senior Advisor		
	USCIS, Office of Policy & Strategy		
	20 Massachusetts Ave.		
	Washington, DC		
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### Gillispie, Anna E

From: Greeley, Kevin A

**Sent:** - Thursday, February 09, 2017 12:15 PM

To: Tynan, Natalie S; Rigdon, Jerry L

Cc: Hamilton, Cristina A; Rather, Michael B

**Subject:** RE: Section 4a

Attachments: RE: Clarification on Scope of Section 4a; RE: EO Interview Working Group

Hi, everyone.

Here is Section 4(a):

Sec. 4. Implementing Uniform Screening Standards for All Immigration Programs. (a) The Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation shall implement a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission. This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.

Here are my primary concerns with how we are approaching section 4(a) in the working groups:

- Creating a separate WG for each item in the section seems inefficient since many of the items will overlap.
- There is no consistent understanding in how to interpret the plain language of the section and some of the language is not clearly defined.
- No one has been able to provide information on what the WH intended when the section was drafted.
- There has been no clear determination of who the section applies to.
- Without a consistent understanding of how to interpret the section, the separate products that each WG creates will not necessarily blend together cohesively.
- Depending on how the language is interpreted, some WGs may be going significantly beyond the scope of the plain language.
- The Interview WG is focusing on ways to improve the current interview process and not necessarily on answering whether or not USCIS is conducting in-person interviews for everyone covered under the EO.
- The Interview WG seems to intend to capture "wish list" items and all the things that USCIS would like to
  improve in the interview process, which seems to be beyond the scope of the EO.
- The section seems to specifically focus on "individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission."
- Emphasis in some of the WGs is on status granting forms such as the N-400, where the individual is neither seeking to enter the US nor making an admission.
- In the Forms WG, FDNS seems to contend that the EO applies to everyone, including USC petitioners, despite the wording of the EO, because the EO uses the word "individuals."
- FDNS seems to be using the Forms WG to attempt to obtain a significant amount of new and duplicative
  information from everyone, every time they submit a form, even though the operational ramifications of such
  actions would be astronomical.

- NSBI has consistently advocated to interpret the plain language of the EO relating to who it applies to and what is desired when implementing a program, which includes limiting the interpretation to individuals actually seeking to enter the US or who will make an admission as a result of the adjudication. This interpretation substantially limits the scope of this section of the EO to a much smaller universe of USCIS forms.
- The Interview and Forms WGs seem to be taking a much broader approach.

In conclusion, I think the most important thing is for USCIS leadership to make the determination of how this section of the EO should be interpreted and whether the scope of the WGs work should be limited only what is required by the EO or much broader, as if this is the opportunity to recommend all of the improvements that we think are beneficial.

I am including recent emails with the leads of the Interview and Forms WG for additional context.

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Please let me know if you have any questions.

Thanks.

Kevin Greeley **Adjudications Officer** 

**DHS | USCIS** 

Office of Policy & Strategy (OP&S)

National Security & Benefits Integrity Division (NSBI)

From: Tynan, Natalie S

Sent: Thursday, February 09, 2017 12:44 PM

To: Rigdon, Jerry L; Greeley, Kevin A Cc: Hamilton, Cristina A; Rather, Michael B

Subject: Section 4a

Hi - can you both provide talking points on your concerns related to WG activity on section 4a? We can raise them at to the FO.

Thanks,

Natalie S. Tynan Senior Advisor **USCIS, Office of Policy & Strategy** 20 Massachusetts Ave. Washington, DC

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(b)(6)

Rigdon, Jerry L

Sent:

Wednesday, February 08, 2017-4:20 PM --- -- -

To:-

-Moulton, Shayla S-

Cc:

Deshommes, Samantha L; Tynan, Natalie S; Rather, Michael B; Kvortek, Steven P (Steve);

Greeley, Kevin A, Ramsay, John R

Subject:

RE: Clarification on Scope of Section 4a

Hello Shayla,

Thanks for the information regarding the scope of our WG's tasking. We'll look forward to learning more about DHS coordination between the various WGs.

Have a good evening,

Jerry

Jerry Rigdon

Deputy Chief, Regulatory Coordination Division

Office of Policy and Strategy

**USCIS Headquarters** 

(b)(6)

From: Moulton, Shayla S

Sent: Wednesday, February 08, 2017 5:11 PM

To: Rigdon, Jerry L

Cc: Deshommes, Samantha L; Tynan, Natalie S; Rather, Michael B; Kvortek, Steven P (Steve); Greeley, Kevin A; Ramsay,

John R

Subject: RE: Clarification on Scope of Section 4a

Good Evening Jerry -

Thank you OP&S for that insight and analysis. We have the following understanding regarding the scope of the task:

- There are at least three EOs;
- 2. One of the EOs addresses "Enhancing Public Safety in the Interior of the United States";
- 3. Sec. 5(d) of this Public Safety EO specifically states that aliens who "have engaged in fraud or willful misrepresentation in connection with any official matter or application before a governmental agency" are an enforcement priority;
- We will be more effective at identifying fraud/misrep if our forms capture more data.

The EOs are mutually reinforcing, so the working groups tasked with their implementation need to ensure outcomes are also mutually reinforcing.

Regarding our EO ("Protecting the Nation from Foreign Terrorist Entry into the United States"), Section 4(a) stipulates this:

fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to admission." [Italics added for emphasis]
- (t -The language is general and does not reference <i>aliens</i> , so the definition of 13(A) does not appear to apply here ("The terms 'admission' and 'admitted' mean, with respect to an <i>alien</i> ").
We propose having a draft product first rather than have OCC part of the initial deliberation process. This will assist in meeting our very tight schedule. We will have further updates regarding Department coordination at tomorrow's meeting.
Shayla Moulton Special Assistant, HQFDNS Front Office United States Citizenship and Immigration Services
( <b>b</b> )(6)
From: Rigdon, Jerry L Sent: Wednesday, February 08, 2017 11:01 AM To: Moulton, Shayla S Cc: Deshommes, Samantha L; Tynan, Natalie S; Rather, Michael B; Kvortek, Steven P (Steve); Greeley, Kevin A; Ramsay, John R Subject: Clarification on Scope of Section 4a
Good Morning, Shayla,
OP&S would like to obtain clarification on the overall scope of section 4a. If we adhere to the specific wording of the EO, the number of forms that might need to be considered will be significantly reduced. (Many thanks to Kevin Greeley for providing the following analysis.)
Section 4(a) starts off focusing specifically on USCIS implementing "a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission."
Going back to the argument of using the plain language of the EO, to ensure that we don't go outside of the legal scope, the first part of this seems to focus on "individuals seeking to enter the United States." The second part seems to focus on individuals "who are at risk of causing harm subsequent to their admission."
b)(5)
"Admission" is defined in the INA as:

"The Secretary of State, the Secretary of Homeland Security...shall implement a program, as part of the adjudication process for *immigration benefits*, to identify *individuals* seeking to enter the United States on a

- (13)(A) The terms "admission" and "admitted" mean, with respect to an alien, the lawful entry of the alien into the United States after inspection and authorization by an immigration officer.
- (B) An alien who is paroled under section 212(d)(5) or permitted to land temporarily as an alien crewman shall not be considered to have been admitted.
- (C) An alien lawfully admitted for permanent residence in the United States shall not be regarded as seeking an admission into the United States for purposes of the immigration laws unless the alien-
- (i) has abandoned or relinquished that status,
- (ii) has been absent from the United States for a continuous period in excess of 180 days,
- (iii) has engaged in illegal activity after having departed the United States,
- (iv) has departed from the United States while under legal process seeking removal of the alien from the United States, including removal proceedings under this Act and extradition proceedings,
- (v) has committed an offense identified in section 212(a)(2), unless since such offense the alien has been granted relief under section 212(h) or 240A(a), or
- (vi) is attempting to enter at a time or place other than as designated by immigration officers or has not been admitted to the United States after inspection and authorization by an immigration officer.

The same legal question exists for the other forms already identified.

Shayla – Has this previously been discussed amongst the WG leads? If not, should we get a legal interpretation from OCC or even raise the question to Julie Farnam?

Jerry	
Jerry Rigdon	
Deputy Chief, Regulatory Coord	lination Division
Office of Policy and Strategy	
USCIS Headquarters	
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From:

Kvortek, Lisette E

Sent:

Wednesday, February 08, 2017-12:40 PM

--To:---

Greeley, Kevin-A-

Cc:

Kvortek, Steven P (Steve)

Subject:

RE: EO Interview Working Group

Thanks Kevin. I agree with your observation on whether the WGs have a consistent understanding and interpretation of Sec 4. However, with our particular group Sec 4 is clear that we ought to look at our current interview processes in general. We have governing laws and policies in place which govern who we interview and don't, including interview waived cases. I highly recommend we don't focus on form types for the paper as it can become unwieldly and we will lose focus. How I see it, regardless if we are interpreting this section to mean those that are outside or inside the U.S., our goal is to identify interview process enhancements, which can be within any of the categories listed in the invite. These enhancements will benefit the narrow or broader interpretation of this section. I see this as an excellent opportunity for our agency as a whole to identify those short and long term goals for implementation.

To your bigger concern, perhaps your leadership may want to raise your question to the EO bi-weekly meetings. I think this will be the better audience to provide direction.

Talk soon!

Lisette Kvortek| Senior Advisor DHS|USCIS| Field Operations Directorate|

(b)(6)

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From: Greeley, Kevin A

Sent: Wednesday, February 08, 2017 1:23 PM

To: Kvortek, Lisette E

Cc: Kvortek, Steven P (Steve)

Subject: RE: EO Interview Working Group

Hi, Lisette. NSBI was wondering if the WG could readdress one of the possible decisions that was made in the last meeting. We think it was decided that, due to the short deadline, we should focus on those form types where we already conduct interviews.

As was noted in the meeting, some of those interviews are based on forms that don't seem to covered under the plain language of the EO.

The EO is specifically calling for "development of a uniform screening standard and procedure, such as in-person interviews", to "identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission."

Therefore, after thinking about it some more, we wonder if the first order of business should be to determine if USCIS currently meets the stated suggestion of in-person interviews on all forms where an individual is seeking to "enter" the US or where they might pose a risk after their "admission"? However that is defined.

If seems like the overall intent of the EO is to close gaps and reduce risks. So shouldn't our first priority be to identify if there are any gaps/risks related to forms that do not currently require an interview, rather than first focusing on improving existing interviews? It seems like not conducting interviews, when potentially required or recommended by the EO, is more of a risk than conducting non-uniform or non-standard interviews that could benefit from improvements.————————————————————————————————————
Note instrumented to make our that we had sufficiently examined the ten priority in complying with this EO
We just wanted to make sure that we had sufficiently examined the top priority in complying with this EO.
Also, OP&S raised to the Forms WG today the issue of whether all the WGs should have a consistent understanding and interpretation of what the beginning language of Section (4)(a) says. If all WGs don't have a consistent understanding, the end results with be an inconsistent analysis that is supposed to result in a uniform standard and procedure.
Thanks for considering this and sorry that this wasn't raised during the first meeting.
Kevin Greedey
Adjudications Officer
DHS   USCIS
Office of Policy & Strategy (OP&S)
National Security & Benefits Integrity Division (NSBI)
(b))(6)
From: Kvortek, Lisette E  Sent: Wednesday, February 08, 2017 10:57 AM  To: Thomas, Ronnie D; Padilla, April Y; Cox, Sophia; Slattery, Shannon E; Connor, Alina M; Benavides, Jaime L; Schaffer, Timothy L; Rosenstock, Peter L; Goudge, Laurie A; Akinjiola, Folukemi O (Kemi); Turo, Karen M; Wilson, Lynn M; Carter, Pea Meng; Lauver, Tinnina M (Tina); Saucier, Hillary W; Dunn, Maureen A; Kvortek, Steven P (Steve); Greeley, Kevin A; Linnan, Raymond J; Short, Gina L; Hess, Ellen; Ginzburg, Roman; Sohonyay, Simon P; Miller, Richard L; Chiorazzi, Anne; Micker, Jennifer N  Subject: EO Interview Working Group
Greetings:
Attached please find:
1. Updated working group member list
2. PP deck
3. Recommendation template for submission of drafts
4. List of the various working groups
My apologies for the large emails. I hope to have an ECN page set up soon.
Best,

(**b**)(6)

Lisette Kvortek| Senior Advisor DHS[USCIS] Field Operations Directorate| This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From:	Rigdon, Jerry L
Sent:	
To:	Tynan, Natalie S; Rather, Michael B
Cc:	Deshommes, Samantha L; Levine, Laurence D
Subject:	FW: Clarification on Scope of Section 4a

Natalie and Mike,

Please see below for the response from Shayla Moulton regarding the scope of the Forms WG. It was worth a shot, but the call is that this requirement could potentially impact any Form.

Jerry

Jerry Rigdon
Deputy Chief, Regulatory Coordination Division
Office of Policy and Strategy
USCIS Headquarters

	USCIS Headquarters
( D	

(b)(6)

From: Moulton, Shayla S

Sent: Wednesday, February 08, 2017 5:11 PM

To: Rigdon, Jerry L

Cc: Deshommes, Samantha L; Tynan, Natalie S; Rather, Michael B; Kvortek, Steven P (Steve); Greeley, Kevin A; Ramsay,

John R

Subject: RE: Clarification on Scope of Section 4a

Good Evening Jerry—

Thank you OP&S for that insight and analysis. We have the following understanding regarding the scope of the task:

- There are at least three EOs;
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The EOs are mutually reinforcing, so the working groups tasked with their implementation need to ensure outcomes are also mutually reinforcing.

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• "The Secretary of State, the Secretary of Homeland Security...shall implement a program, as part of the adjudication process for *immigration benefits*, to identify *individuals* seeking to enter the United States on a

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United States Citizenship and Immigration Services
(b))(6)
From: Rigdon, Jerry L Sent: Wednesday, February 08, 2017 11:01 AM To: Moulton, Shayla S Cc: Deshommes, Samantha L; Tynan, Natalie S; Rather, Michael B; Kvortek, Steven P (Steve); Greeley, Kevin A; Ramsay, John R Subject: Clarification on Scope of Section 4a
Good Morning, Shayla,
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"Admission" is defined in the INA as:

(b)(5)

- (8) An alien who is paroled under section 212(d)(5) or permitted to land temporarily as an alien crewman shall not be considered to have been admitted.
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Jerry	
Jerry Rigdon Deputy Chief, Regulatory Coordin Office of Policy and Strategy	nation Division
USCIS Headquarters	( <b>b</b> ))(65

Thanks

From:

Rigdon, Jerry L

Sent:

Wednesday, February 08, 2017 4:23 PM

To:--

Tynan, Natalie S; Rather, Michael B

Cc:

Deshommes, Samantha L; Levine, Laurence D

Subject:

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Deputy Chief, Regulatory Coordination Division

Office of Policy and Strategy

**USCIS Headquarters** 

(b)(6)

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Sent: Wednesday, February 08, 2017 5:11 PM

To: Rigdon, Jerry L

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·	( <b>b</b> )(6)

From:	Moulton, Shayla S
Sent:	Wednesday, February 08, 2017 4:11 PM
To:	Rigdon; Jerry L
Cc:	Deshommes, Samantha L; Tynan, Natalie S; Rather, Michael B; Kvortek, Steven P (Steve); Greeley, Kevin A; Ramsay, John R
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Shayla Moulton	NIC For at OFF
Special Assistant, HQFD	and Immigration Services

1.

(b)(6)

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Thank	s, <sub>.</sub>	
Jerry-	er e	, <u>, , , , , , , , , , , , , , , , , , </u>
Jerry	•	,
•	y Chief, Regulatory Coordination Division of Policy and Strategy	
	Headquarters	
	(b)(6)	-
		•

From:

Rigdon, Jerry L

Sent:

Wednesday, February 08, 2017 4:20 PM

To:

Moulton, Shayla S

Cc:

Deshommes, Samantha L; Tynan, Natalie S; Rather, Michael B; Kvortek, Steven P (Steve);

Greeley, Kevin A; Ramsay, John R

Subject:

RE: Clarification on Scope of Section 4a

Hello Shayla,

Thanks for the information regarding the scope of our WG's tasking. We'll look forward to learning more about DHS coordination between the various WGs.

Have a good evening,

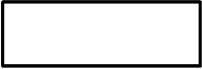
Jerry

Jerry Rigdon

Deputy Chief, Regulatory Coordination Division

Office of Policy and Strategy

**USCIS** Headquarters



(b)(6)

From: Moulton, Shayla S

Sent: Wednesday, February 08, 2017 5:11 PM

To: Rigdon, Jerry L

Cc: Deshommes, Samantha L; Tynan, Natalie S; Rather, Michael B; Kvortek, Steven P (Steve); Greeley, Kevin A; Ramsay,

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Thanks,	
Jerry	
Jerry Rigdon	Description Consideration Division
• •	, Regulatory Coordination Division cy and Strategy
USCIS Headq	

(b)(6)

From: Farnam, Julie È

Sent: - Friday, February 03, 2017 10:20 AM

To: Button, Maria G (Gemma), Hatchett, Dolline L, Patching, Laura D; Levine, Laurence D;

Rosenberg, Ronald M (Ron); Lafferty, John L; Strack, Barbara L; Ruppel, Joanna;

McCament, James W; Neufeld, Donald W; Alfonso, Angelica M; Melero, Mariela; Groom, Molly M; Busch, Philip B; Meckley, Tammy M; Davidson, Andrew J; Valverde, Michael; Renaud, Daniel M; Symons, Craig M; Kovarik, Kathy N; Risch, Carl C; Rather, Michael B; Hamilton, Cristina A; Tynan, Natalie S; Nimick, Charles L (Locky); Dumas, Jessica L; Campagnolo, Donna P; Cox, Sophia; Hinds, Ian G; Zengotitabengoa, Colleen R; Rogers, Debra A; Herrmann, Mary K; Martin, Heather A; Nicholson, Maura J; Kim, Ted H; Stone,

Mary M; Carter, Constance L; Kerns, Kevin J; Borgen, Michael R; Emrich, Matthew D;

Moran, Karla; Nuebel Kovarik, Kathy

Duggan, Steven; Walters, Jessica S; Young, Todd P; Swanson, Toni; Renaud, Tracy L;

Scialabba, Lori L

**Subject:** Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry

into the United States

Attachments: EO Forms List (TENTATIVE) FEB 2 2017 V3.pdf

Good morning,

Cc:

Thank you for your work on the deliverables already completed. I appreciate everyone's timely responses.

The next big deliverable we have is in regards to Sec. 4a and 4b of the Protecting the Nation from Foreign Terrorist Entry EO. Proposals related to the items below are <u>due to me by COB Friday, February 17, 2017</u>. FDNS has the overall lead on this deliverable, but there will also be several working groups that may be co-coordinated by other directorates with FDNS. Here is the specific language from the EO:

"This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States."

Because there are a lot of pieces to this section and because the pieces affect different directorates, we will likely need a few working groups to tackle this one. As discussed at the meeting yesterday, these are the proposed working groups:

- Interviews (FOD to co-lead)
- Identity Document Database
- Identity verification
- Form revisions (OP&S proposal attached)
- Immigrant integration (OoC to co-lead)

As of now DHS has not provided a template or format for the proposals (and I'm told one will not be coming this week). Should I receive a template, I will pass it along, but I think for now we can proceed with just writing up the proposal.

The deliverables tracker has been updated on the ECN and now includes all the items and target completion dates that were provided in the DHS Implementation Plan. To summarize some of the upcoming deliverables (Foreign Terrorist Entry EO deliverables should go to me. Steve Duggan is the POC on the Border Security and Enhancing Public Safety in the Interior EOs):

Report on implementing section 4a	Protecting the Nation from Foreign Terrorist Entry	4b	осс	FDN
Uniform screening standards	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	
Development of a document database	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	OIT
Interviews	Protecting the Nation from Foreign Terrorist Entry	4a ,	FOD	FDNS
Form revisions	Protecting the Nation from Foreign Terrorist Entry	- 4a	FDNS	OP&:
Identity verification tool	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	
Immigrant integration	Protecting the Nation from Foreign Terrorist Entry	4a	OoC	FDN:
Issue guidance to asylum officers outlining changes to CR/RF screening	Border Security and Immigration Enforcement Improvements	11	RAIO	
Review of asylum referrals/credible fear determinations	Border Security and Immigration Enforcement Improvements	11b	RAIO	осс
Staffing needs to assign asylum offices to detention/other DHS facilities	Border Security and Immigration Enforcement Improvements	5b	RAIO	
Budgetary/Staffing Needs	All EOs	N/A	MGMT	
Plan related to FY17 refugee entries	Protecting the Nation from Foreign Terrorist Entry	5d	RAIO	
Priority locations for asylum officers at detention facilities	Border Security and Immigration Enforcement Improvements	5b	RAIO	
Operations plan related to minority religions and religious-based persecution	Protecting the Nation from Foreign Terrorist Entry	5b	RAIO	

Thank you again and if there are any follow-up questions, please let me or Steve know.

Julie Farnam
Senior Advisor
Field Operations Directorate
U.S. Citizenship and Immigration Services

(b)(6)

This communication, along with any attachments, may contain confidential information and is covered by federal laws governing electronic communications. Electronic communications may also be monitored by the Department of Homeland Security, U.S. Citizenship and Immigration Services. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you have received this in error, please delete this message and all attachments and immediately notify the sender.

From: Sent:	Valverde, Michael —-Friday, February 03, 2017 10:57 AM
То:	Farnam, Julie E; Button, Maria G (Gemma); Hatchett, Dolline L; Patching, Laura D; Levine, Laurence D; Rosenberg, Ronald M (Ron); Lafferty, John L; Strack, Barbara L; Ruppel, Joanna; McCament, James W; Neufeld, Donald W; Alfonso, Angelica M; Melero, Mariela; Groom, Molly M; Busch, Philip B; Meckley, Tammy M; Davidson, Andrew J; Renaud, Daniel M; Symons, Craig M; Kovarik, Kathy N; Risch, Carl C; Rather, Michael B; Hamilton, Cristina A; Tynan, Natalie S; Nimick, Charles L (Locky); Dumas, Jessica L; Campagnolo, Donna P; Cox, Sophia; Hinds, Ian G; Zengotitabengoa, Colleen R; Rogers, Debra A; Herrmann, Mary K; Martin, Heather A; Nicholson, Maura J; Kim, Ted H; Stone, Mary M; Carter, Constance L; Kerns, Kevin J; Borgen, Michael R; Emrich, Matthew D; Moran, Karla; Nuebel Kovarik, Kathy
Сс:	Duggan, Steven; Walters, Jessica S; Young, Todd P; Swanson, Toni; Renaud, Tracy L; Scialabba, Lori L
Subject:	RE: Deliverable Due 2/17Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

#### Everyone-

As Julie mentions below, FOD was designated to co-lead with FDNS the interview portion of Section 4 (a) Implementing Uniform Screening Standards for All Immigration Programs. The relevant interview portions of Section 4(a) are as follows:

- The development of a uniform screening standard and procedure, such as in-person interviews;
- 2. A mechanism to ensure that the applicant is who the applicant claims to be;
- 3. A process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest;
- 4. Amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; and
- 5. A mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.

I know a lot of work has been done already in various manners that impacts this goal and can be utilized for this task. We would like to convene the process for articulating how the interview process has been and/or can be enhanced (best practices, new policies, new tools/systems, resources, and/or additional questions) to ensure we are using our interviews in the best way to inform our eligibility, credibility and national security/public safety determinations.

Lisette Kvortek will serve as the FOD working group coordinator and will work with the FDNS POC to organize the work. I'd ask that folks self-identify as a responsible party and name a POC representing your office. Since work is due on the 17<sup>th</sup>, we'd like to get started asap.

Thank you.

From: Farnam, Julie E

Sent: Friday, February 03, 2017 11:20 AM

**To:** Button, Maria G (Gemma); Hatchett, Dolline L; Patching, Laura D; Levine, Laurence D; Rosenberg, Ronald M (Ron); Lafferty, John L; Strack, Barbara L; Ruppel, Joanna; McCament, James W; Neufeld, Donald W; Alfonso, Angelica M; Melero, Mariela; Groom, Molly M; Busch, Philip B; Meckley, Tammy M; Davidson, Andrew J; Valverde, Michael; Renaud, Daniel M; Symons, Craig.M; Kovarik, Kathy N; Risch, Carl C; Rather, Michael B; Hamilton, Cristina A; Tynan, Natalie S; Nimick, Charles L (Locky); Dumas, Jessica L; Campagnolo, Donna P; Cox, Sophia; Hinds, Ian G; Zengotitabengoa, Colleen R; Rogers, Debra A; Herrmann, Mary K; Martin, Heather A; Nicholson, Maura J; Kim, Ted H; Stone, Mary M; Carter, Constance L; Kerns, Kevin J; Borgen, Michael R; Emrich, Matthew D; Moran, Karla; Kovarik Nuebel, Kathy **Cc:** Duggan, Steven; Walters, Jessica S; Young, Todd P; Swanson, Toni; Renaud, Tracy L; Scialabba, Lori L **Subject:** Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

Good morning,

Thank you for your work on the deliverables already completed. I appreciate everyone's timely responses.

The next big deliverable we have is in regards to Sec. 4a and 4b of the Protecting the Nation from Foreign Terrorist Entry EO. Proposals related to the items below are <u>due to me by COB Friday</u>, <u>February 17, 2017</u>. FDNS has the overall lead on this deliverable, but there will also be several working groups that may be co-coordinated by other directorates with FDNS. Here is the specific language from the EO:

"This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States."

Because there are a lot of pieces to this section and because the pieces affect different directorates, we will likely need a few working groups to tackle this one. As discussed at the meeting yesterday, these are the proposed working groups:

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- Identity Document Database
- Identity verification
- Form revisions (OP&S proposal attached)
- Immigrant integration (OoC to co-lead)

As of now DHS has not provided a template or format for the proposals (and I'm told one will not be coming this week). Should I receive a template, I will pass it along, but I think for now we can proceed with just writing up the proposal.

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Report on implementing section 4a	Protecting the Nation from Foreign Terrorist Entry	-::.4b	3	осс	FDN
	Protecting the Nation from	•		-	
Uniform screening standards	Foreign Terrorist Entry	4a		FDNS	

[10] The state of the state of	Protecting the Nation from	T.	ر بر محید این میشود با میشود با با در میشود با با در میشود با با در میشود با با در میشود با با در میشود با با در میشود این میشود با با با با با با با با با با با با با	are, American primary with
Development of a document database	Foreign Terrorist Entry	4a	FDNS	OIT
Interviews	Protecting the Nation from Foreign Terrorist Entry	4a	FOD	FDN:
Form revisions	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	OP&
Identity verification tool	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	
Immigrant integration	Protecting the Nation from Foreign Terrorist Entry	4a	OoC	FDN
Issue guidance to asylum officers outlining changes to CR/RF screening	Border Security and Immigration Enforcement Improvements	11	RAIO	
Review of asylum referrals/credible fear determinations	Border Security and Immigration Enforcement Improvements	11b	RAIO	occ
Staffing needs to assign asylum offices to detention/other DHS facilities	Border Security and Immigration Enforcement Improvements	5b	RAIO	
Budgetary/Staffing Needs	All EOs	N/A	MGMT	
Plan related to FY17 refugee entries	Protecting the Nation from Foreign Terrorist Entry	5d	RAIO	
Priority locations for asylum officers at detention facilities	Border Security and Immigration Enforcement Improvements	5b	RAIO	
Operations plan related to minority religions and religious-based persecution	Protecting the Nation from Foreign Terrorist Entry	5b	RAIO	

Thank you again and if there are any follow-up questions, please let me or Steve know.

Julie Farnam	
Senior Advisor	
Field Operations Dire	ectorate
U.S. Citizenship and I	mmigration Services
	( <b>b</b> ₩ <b>6</b> 5)

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From:	Prelogar, Brandon B			
Sent: -To:	Friday, February 03, 2017 12:04 PM			
Subject:	RE: Deliverable Due 2/17Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States			
·	nking it may well encompass those kinds of benefits (asylum, ref, etc.), too – or at least don't 't. So, from our perspective, in the early phases at least and as the scope is being defined, we too.			
From: Hamilton, Cristina . Sent: Friday, February 03 To: Levine, Laurence D: A				
L; Dunn, Maureen A; Lee, Jerry L; Silwany, Oscar Y;	Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,			
	ticipate, but I think also someone from Mark's team as it would seem to be natz and goes beyond those benefit types to include asylum/refugee.			
Cristina Hamilton Chief, National Security as Benefits Integrity Division Office of Policy and Strate				
(b)	<b>(6)</b>			
by applicable law. Unauthorize	thments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected duse or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, elete or destroy all copies. Thank you.			
From: Levine, Laurence C Sent: Friday, February 03				
<b>To:</b> Anderson, Kathryn E; A; Hamilton, Cristina A; Le Rigdon, Jerry L; Silwany, (	Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen ee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Oscar Y; Tynan, Natalie S			
-	Due 2/17Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States this WG from OP&S – not sure which Division is best suited for it, so please share any			
responses with the entire	chain here.			
Thanks, Larry				
Larry Levine Acting Chief				

Office of Policy & Strategy
U.S. Citizenship and Immigration Services

<u>Department of Ho</u>meland Security

(b)(6)

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From: Vaiverde, Michael

Sent: Friday, February 03, 2017 11:57 AM

To: Farnam, Julie E; Button, Maria G (Gemma); Hatchett, Dolline L; Patching, Laura D; Levine, Laurence D; Rosenberg, Ronald M (Ron); Lafferty, John L; Strack, Barbara L; Ruppel, Joanna; McCament, James W; Neufeld, Donald W; Alfonso, Angelica M; Melero, Mariela; Groom, Molly M; Busch, Philip B; Meckley, Tammy M; Davidson, Andrew J; Renaud, Daniel M; Symons, Craig M; Kovarik, Kathy N; Risch, Carl C; Rather, Michael B; Hamilton, Cristina A; Tynan, Natalie S; Nimick, Charles L (Locky); Dumas, Jessica L; Campagnolo, Donna P; Cox, Sophia; Hinds, Ian G; Zengotitabengoa, Colleen R; Rogers, Debra A; Herrmann, Mary K; Martin, Heather A; Nicholson, Maura J; Kim, Ted H; Stone, Mary M; Carter, Constance L; Kerns, Kevin J; Borgen, Michael R; Emrich, Matthew D; Moran, Karla; Kovarik Nuebel, Kathy Cc: Duggan, Steven; Walters, Jessica S; Young, Todd P; Swanson, Toni; Renaud, Tracy L; Scialabba, Lori L Subject: RE: Deliverable Due 2/17--Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

### Everyone-

As Julie mentions below, FOD was designated to co-lead with FDNS the **interview portion** of Section 4 (a) Implementing Uniform Screening Standards for All Immigration Programs. The relevant interview portions of Section 4(a) are as follows:

- 1. The development of a uniform screening standard and procedure, such as in-person interviews;
- 2. A mechanism to ensure that the applicant is who the applicant claims to be;
- 3. A process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest;
- 4. Amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; and
- 5. A mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.

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**Sent:** Friday, February 03, 2017 11:20 AM

To: Button, Maria G (Gemma); Hatchett, Dolline L; Patching, Laura D; Levine, Laurence D; Rosenberg, Ronald M (Ron);

Lafferty, John L; Strack, Barbara L; Ruppel, Joanna; McCament, James W; Neufeld, Donald W; Alfonso, Angelica M; Melero, Mariela; Groom, Molly M; Busch, Philip B; Meckley, Tammy M; Davidson, Andrew J; Valverde, Michael; Renaud, Daniel M; Symons, Craig M; Kovarik, Kathy N; Risch, Carl C; Rather, Michael B; Hamilton, Cristina A; Tynan, Natalie S; Nimick, Charles L (Locky); Dumas, Jessica L; Campagnolo, Donna P; Cox, Sophia; Hinds, Ian G; Zengotitabengoa, Colleen R; Rogers, Debra A; Herrmann, Mary K; Martin, Heather A; Nicholson, Maura J; Kim, Ted H; Stone, Mary M; Carter, Constance L; Kerns, Kevin J; Borgen, Michael R; Emrich, Matthew D; Moran, Karla; Kovarik Nuebel, Kathy Cc: Duggan, Steven; Walters, Jessica S; Young, Todd P; Swanson, Toni; Renaud, Tracy L; Scialabba, Lori L Subject: Deliverable Due 2/17—Sec. 4a EO: Protecting the Nation from Foreign Terrorist Entry into the United States

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Report on implementing section 4a	Protecting the Nation from Foreign Terrorist Entry	4b	осс	FDNS
Report on implementing section 4a	Protecting the Nation from	. 40	· · · · · · · · · · · · · · · · · · ·	- PDNS
Uniform screening standards	Foreign Terrorist Entry	4 <u>a</u>	FDNS	
	Protecting the Nation from			
Development of a document database	Foreign Terrorist Entry	4a	FDNS	OIT
	Protecting the Nation from			
Interviews	Foreign Terrorist Entry	4a	FOD	FDNS

Pro 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				
Form revisions	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	OP&
ldentity verification tool	Protecting the Nation from Foreign Terrorist Entry	4a	FDNS	
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Priority locations for asylum officers at detention facilities	Border Security and Immigration Enforcement Improvements	5b	RAIO	1
Operations plan related to minority religions and religious-based persecution	Protecting the Nation from Foreign Terrorist Entry	5b	RAIO	

Thank you again and if there are any follow-up questions, please let me or Steve know.

Julie Farnam
Senior Advisor
Field Operations Directorate
U.S. Citizenship and Immigration Services

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From:

Deshommes, Samantha L

Sent:

Sunday, January 29, 2017 2:58 PM

To:

Levine, Laurence D; Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

**RE: Executive Order** 

Attachments:

Executive Order - 01272017\_RCD.docx

RCD's questions, timing guidance, etc. is attached.

Forms/PRA: In short, form changes can be accomplished via an emergency approval action, which in comparison with the normal process is quicker, but requires a duplicate action. OMB approval under emergency approval is only valid for 6 months so we'd have to restart the normal process (60- and 30-day Notices) immediately. The speed with which we can submit such actions to OMB depend on the speed with which legal guidance is provided to allow for firm decisions on form changes, additional form questions, etc.; the speed with which OIDP can provide the amended form instruments; and the speed with which IT and OIDP can schedule the revised forms for intake.

Regs: I think the most appropriate timeline to use is the average time it took for us to draft and publish EA-related rulemakings (approx. 12-16 months for drafting, clearing publishing the NPRM, and approx. 6-8 months to consider comments, draft, clear, and publish the final rule). Notice that I didn't opine on the effective date of the reg (which, usually is 30-60 days from the date the final rule publishes). However, the effective date is most dependent on the needs of IT and OIDP schedules.

Additional questions and comments are provided in the attached. Btw, under the assumption this will be posted on the OP&S ECN, I shortened the filename.

Larry: Just a suggestion...Many of the directives in the EO (uniform identify verification) may require new regs and/or workload for both FDNS and IRIS, and I noticed that IRIS wasn't looped in on the email chain forward from Dan. Maybe you should reach out to Tammy to give her a heads-up. Just a suggestion...

Sam

Samantha Deshommes Chief, Regulatory Coordination Division USCIS, Office of Policy & Strategy



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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 3:31 PM

**To:** Cummings, Kevin J; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I defer to you all for all counting matters - I'm glad you all picked it up; I don't know why 6 was stuck in my head.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 3:28:37 PM

**To:** Levine, Laurence D; Prelogar, Brandon B; Anderson, Kathryn E; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Not to be a stickler for details, but isn't it 7 countries?

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 2:39 PM

**To:** Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

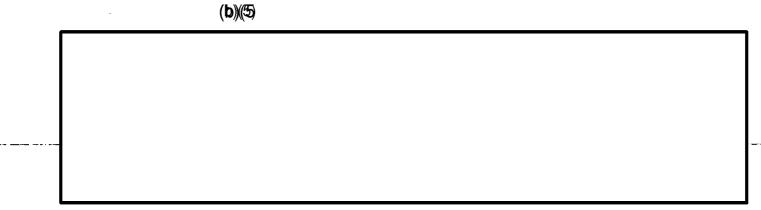
Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

And now apparently the WH is saying the EO doesn't apply to green card holders from the 6 countries.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services

(b))(	
From: Levine, Laurence D	
<b>Sent:</b> Sunday, January 29, 20 <b>To:</b> Prelogar, Brandon B; And	lerson, Kathryn E; Cummings, Kevín J; Deshommes, Samantha L; Beveridge, Jennifer L lamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; ar Y; Tynan, Natalie S
Attached is the stay order from coming our way.	rom last night. I've also heard that mandamus actions regarding the EO holds may be
	<u> </u>
Larry Levine	
Acting Chief Office of Policy & Strategy	
Office of Policy & Strategy U.S. Citizenship and Immig	
Department of Homeland S	<del>-</del>
L'open	·
(b))(6	9
	mmings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L lamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; ar Y; Tynan, Natalie S
existing exemptions to TRI about entry vs admission, w	of TRIG exemptions that nothing in the EO prevents the continued application of the IG cases while that consideration process takes place. Similar to Kathryn's point while I understand the desire to make sure we are not moving forward on cases we should also be careful not to over-read the EO's directives.
	ne, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; pert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, nan, Natalie S
I'll look more closely at the ch	nart, but upon first glance and after reading the chain below, I wanted to raise a couple



- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f). I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
  - 2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

#### Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services

<u>Department of </u>	<u>Homeiano Securit</u>	Įγ

(b)(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes

Chief, Regulatory Coordination Division

USCIS. Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday-morning. Sam - can-you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel Chief, International Operations Division U.S. Citizenship and Immigration Services (b)(6)

From: Neufeld, Donald-W...

**Sent:** Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W -

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

**Subject:** FW: Executive Order

FYI. I think Andrew might be right in terms of what is meant but

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From Builden Andrew 1			 
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM			
To: Renaud, Tracy L			
Cc: Neufeld, Donald W; Renaud, Daniel M; Scial Subject: Executive Order	labba, Lori L		

Tracy,

It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person.

We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson **Acting Deputy Associate Director** Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529

(b)(6)

Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

POLICY: It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

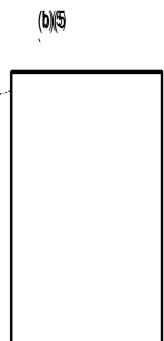
## **GENERAL OBJECTIVES:**

- Be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they
  have no ties to terrorism.
- Ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles
- We cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law
- We should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation

Date conversions	(	
Days from ord	er	Date
30	2	2/26
- 60 -		3/28
90 .		4/27
100	. :	5/7
, 120		5/27
180	1.7.	7/26
¥ 200		8/15

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
ection 3	: Suspension of Issu	ance of Visas an	d Other Immigration Benefits to	Nationals of C	ountries of Particul	ar Concern
3a	DHS	Review	Determine information needed from any country to	Immediate		
	In consultation with		adjudicate any visa, admission			
	DOS/DNI		or benefit under the INA in order to determine that the			
			individual seeking the benefit			
			is who the individual claims to			
	3		be and is not a security or public safety threat.	•		

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
3b	DH\$	Report	Information identified in review under 3a	30 days from Jan 27	Report to President Copy to DOS/DNI	
3c	DHS/DOS	Suspend	Admission of immigrants and nonimmigrants from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya	For 90 days from Jan 27	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130,?  2. Should we deschedule oath ceremonies for individuals from the 7?  3. How do we handle N-400s 120+ days from interview?  4. Should we stop RFEs?  5. Should we stop scheduling interviews?  6. What about change of status from other NIV categories to NATO visas, C-2 travel visas (UN) andG-1, G-2, G-3, and G-4 visas?  7. What about change of status for NIVs for these countries?
3d	DOS	Request	Secretary shall request all foreign governments that do not supply information identified in 3a review to provide such information.	Immediately following report in 3b	Foreign governments will be given 60 days to begin providing information	
3e	In consultation with DOS	. Recommendation	Recommend countries whose foreign nationals would be prohibited entry to the United States due to the country's failure to provide information requested by the U.S. as described in 3d	After 60 day period outlined in 3d	Exclusions: Diplomatic and NATO visas C-2 travel visas (UN) G-1, G-2, G-3, and G-4 visas	
3g*					*Exception:  DHS and DOS may on a case-by-case and when in national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.	
3f	DHS or DOS	Recommendation	Add countries to list of those whose nationals are prohibited from entering the U.S. due to failure to provide information as requested by the U.S. (3d)	After submission of List Indefinite		
3h	DHS and DOS	Joint Report	Report progress implementing Order	30 days 60 days		



Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments	. 1	_
ACCUAL	ונושואר	Action	- arpore	90 days	110141	decinent comment	١,	
				120 days				
	1			From Jan 27				
Section 4	Implementing Unif	orm Screening Stand	ards for All Immigrant Prog		pilos	7.4 ************************************		
42	DHS/DOS/DNI/FBI	Implement Program as part of adjudications process to include development of:  • Uniform screening standard and procedure, such as interviews  • Database	To identify individuals seeking to enter US on a fraudulent basis with intent to cause harm, or who are at risk of causing harm subsequent to admission.  Capture identity documents proffered by applicants and prevent duplicate documents from being used by multiple	Initial progress report due within 60 days of Jan 27		1. Do we need to take any actions prior to the "plan" described in section four being developed and implemented? 2. Who is responsible for developing the plan? 3. Might this functionality [database to collect identity documents] already exist and be implemented? 4. Would these [amended application forms] be internal worksheets and not OMB cleared changes to existing forms? 5. [Regarding mechanism to ensure applicant's claimed identity] Beyond existing measures/capabilities? Enhanced data share?		
		Amended     Application Forms	applicants  •  To add questions aimed at identifying fraudulent answers and malicious Intent					
		Mechanism	To ensure applicant is who the applicant claims to be					
		Process	To evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest					
		Mechanism.	To assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the U.S.					

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
4b	DHS/DOS/DNI/FBI	Report	Report progress of initiatives	Within 60 days,	Report to President	
			under 4a	100 days,		
				200 days of Jan 27		
Sec. S. Re	alignment of the U.S.	Refugee Admissions Pr	ogram for Fiscal Year 2017.			
Sa	DOS	Suspend the USRAP		For 120 days from		
		program		Jan 27		
5a	DOS	Review	Review the USRAP application	Within 120 days		
	In consultation with		and adjudication process to	of Jan 27		
	DH\$/DNI		determine what additional			
			procedures should be taken to			
			ensure that those approved			
			for refugee admission do not			
			pose a threat to the security			
			and welfare of the United			
			States			
Sa	DOS	Implement	Implement procedures	Within 120 days	Refugee applicants who are	
			identified during review	of Jan 27	already in the USRAP process	
	In consultation with				may be admitted upon the	
	DHS/DNS				initiation and completion of	
					these revised procedures.	·
Sa	DOS	Resume USRAP		120 days after	Limited to nationals of	
				order	countries for which the	
					DHS/DOS/DNI have jointly	
					determined that such	•
					additional procedures are	
				•	adequate to ensure the	
					security and welfare of the	
<i>a</i> 1			A		United States	
5b	00\$	Prioritize Refugee	Prioritize claims made by		Individual's religion must be a	
	In a complete control	Claims	individuals on the basis of		minority religion in the	
	In consultation with		religious-based persecution.		individual's country of	
5b	DHS DOS/DHS	Recommend	To annual animation time of		nationality.	<u> </u>
ĴΟ	ניוחלנטח	Legislation	To support prioritization of refugee claims as noted			
		regiziation	immediately above.			
5c	President	Suspend admission of	anniculately boove.	Until the	Exception:	
J.	ricaldent	Syrian refugees		president	DHS/DOS have discretion to	
		alum icialica		determines	jointly determine to admit	
5e				sufficient changes	individuals to the United	
Exception				have been made	States as refugees on a case-	
				to USRAP to	by-case basis only so long as	
				ensure admission	they determine that the	
				of Syrian Refugees	admission of such individuals	
				is consistent with	as refugees is in the national	
				the national	interest - including when the	
				interest.	person is a religious minority	
					in his country of nationality	
		1	l .	<u> </u>	m ma country of monomouty	I

Carting	Actorici	Action	Purpose	Timeline	Notes	Questions/Comments
Section	Actor(s)	Action	rurpose	rimienne	facing religious persecution,	Questions/confinents
	}				when admitting the person	
					would enable the United	
	ł				States to conform its conduct	
					to a preexisting international	
	İ				agreement, or when the	
	ł				person is already in transit	
					and denying admission would	
	1				cause undue hardship – and it	
					would not pose a risk to the	
	İ				security or welfare of the	
					United States.	
5d	President	Limit refugee		Until such time as		
	1	admissions to 50,000		the president		
		in FY 2017		determines that		
				additional		
				admissions would		
				be in the national		
				interest		
5f	DOS	Report	Progress of prioritization of	Within 100 days		
			claims under 5(b)	and		
<u> </u>	DUC .	Data-in-bandan	Extent to which state and	200 days of Ian 27	[ <del></del>	
5g	DHS	Determine based on				
		existing law	local jurisdictions may have greater involvement in the			
			process of determining the		-	
			placement or resettlement of			
			refugees in their jurisdictions			
Sg	DHS	Propose	Plan to involve state/local			
			jurisdictions in refugee			
	<u> </u>		resettlement process		<u> </u>	1
			he Terrorism Grounds of Inad			
6a	DOS/DHS	Review and consider	Authorities under INA 212 (8	Undefined		Should we adjudicate cases in TRIG
	l	rescinding	USC 1182) relating to TRIG			hold? It doesn't seem like exemptions are
	In consultation with		and related memoranda			forthcoming
Con 7 Em	AG	the Diametric Catas Co	ult Teaching Custom		(*)	
···	<u> </u>	the Biometric Entry-E	nit tracking bystem.	a the p		en la seconda de la companya della companya della companya de la companya della c
7a	DHS	Expedite completion			Recommended by the National Commission on	
		and implementation of a biometric entry-				
		exit tracking system			Terrorist Attacks Upon the United States	
		for all travelers to the			Ollifen Brafes	
		United States				
7b	DHS	Report	Progress on directive in 7a	Within 100 days	-	
		Ι΄.	-	200 days and 365		

Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
Jection	Veroital	Action	Taiposc	days of Jan 27 and	Trotes	Questions continents
				every 180 days		
				thereafter until		
				the system is fully	•	
			1	deployed and		
				operational.		
Sec. 8. Vis	sa Interview Security.	DOS	<u> </u>	<u> </u>	l <u>-</u>	
8a	DOS	Suspend	Visa Interview Waiver	Immediately	Require in-person interview	<del>, , , , , , , , , , , , , , , ,</del>
	]		Program		for all individuals seeking a	
					NIV, subject to statutory	
_					exceptions	
8b	DO2	Expand	Consular Fellows Program		To extent permitted by law	1
		1			and by available	
					appropriations: substantially	
	ľ				increase the number of	
					fellows; lengthening or	
					making the period of service	
		1			permanent; make language	
		1			services (FSI) available to	
	<u> </u>	ļ <u></u>			expand post options	
Sec. 9. Vis	sa Validity Reciprocity			<u>, </u>		
	DOS	Review and align	To the extent practicable,		As applies to validity period	
			ensure visa reciprocity		and fees, as required by	
			agreements for each visa		sections 221(c) and 281 of the	
			classification are truly		INA, 8 U.S.C. 1201(c) and	
			reciprocal. If not reciprocal,		1351, and other treatment	
			adjust the visa validity period,			
			fee schedule, or other			
			treatment to match the			
			treatment of United States			
			nationals by the foreign			
			country.			
Sec. 10. T	ransparency and Data	Collection	<u> </u>	l	<u> </u>	l <u></u>
10a	DHS	Collect and Publish	Number of foreign nationals	Within 180 days	Data since the date of this	
		Information	in the United States who have	and every 180	order or the last reporting	
	In consultation with		been:	days thereafter	period, whichever is later	
	Attorney General		charged with terrorism-			
		}	related offenses while in the			
			United States;			
			<ul> <li>convicted of terrorism-</li> </ul>			
			related offenses while in the			
		1	United States;			
			removed from the United			
			States based on terrorism-			

related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons  adicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States  information regarding the number and types of acts of gender-based violence against women, including honor killings,  any other information relevant to public safety and security, including information on the immigration status of foreign nationals charged with major offenses  In post security including information on the immigration status of foreign nationals charged with major offenses	Section	Actor(s)	Action	Purpose	Timeline	Notes	Questions/Comments
				material support to a terrorism-related organization, or any other national security reasons • radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States • information regarding the number and types of acts of gender-based violence against women, including honor killings, • any other information relevant to public safety and security, including information on the immigration status of foreign nationals charged with			
USRAP at Federal, State and of Jan 27	11b	DOS	Report	Estimated long term costs of	Within one year of Jan 27		

Page 3: [1] Comment [SLD2]	Deshommes, Samantha L	1/29/2017 3:36:00 PM
Page 3: [2] Comment [SLD3]	Deshommes, Samantha L	1/29/2017 3:11:00 PM

(**b**)(5)

## Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Monday, January 30, 2017 6:31 AM

To:

Groom, Molly M; Slattery, Shannon E; Renaud, Daniel M; Neufeld, Donald W; Walters,

Jessica S; Busch, Philip B; Kleczek, Marguerite P (Ania)

Cc:

Ruppel, Joanna; Young, Todd P; Valverde, Michael; Walters, Jessica S; Kvortek, Lisette E;

Farnam, Julie E; Elder, Phillip D; Tynan, Natalie S; Rather, Michael B; Deshommes,

Samantha L

Subject:

RE: Executive Order

+ Natalie, Mike and Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

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From: Groom, Molly M

Sent: Monday, January 30, 2017 7:28 AM

To: Slattery, Shannon E; Levine, Laurence D; Renaud, Daniel M; Neufeld, Donald W; Walters, Jessica S; Busch, Philip B;

Kleczek, Marguerite P (Ania)

Cc: Ruppel, Joanna; Young, Todd P; Valverde, Michael; Walters, Jessica S; Kvortek, Lisette E; Farnam, Julie E; Elder,

Phillip D

Subject: RE: Executive Order

Plus Phil, Ania and Philip

From: Slattery, Shannon E

Sent: Sunday, January 29, 2017 11:24:08 PM

To: Levine, Laurence D; Renaud, Daniel M; Groom, Molly M; Neufeld, Donald W; Walters, Jessica S

Cc: Ruppel, Joanna; Young, Todd P; Valverde, Michael; Walters, Jessica S; Kvortek, Lisette E; Farnam, Julie E

Subject: RE: Executive Order

+ Lisette Kvortek and Julie Farnam

Shannen E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 4:52 PM

To: Renaud, Daniel M; Groom, Molly M; Neufeld, Donald W; Walters, Jessica S

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

**Subject:** RE: Executive Order

All - I asked the regs team to give us an idea of the tie frames for doing and re-doing forms as well as regs:

For forms, if, for instance, we have to add new vetting questions, OMB approval can be accomplished relatively quickly as an emergency action (compared to the normal process).

Steps and qualifications for emergency OMB approval:

- 1) OP&S division, operational directorates, OCC, and RCD collaborate on the amended form and/or instructions.
- 2) RCD prepares the relevant PRA supporting documents (Supporting Statement, etc.) working with OIDP and Office of Privacy
- 3) Draft a memo justifying the emergent need (e.g., the EO), signed by USCIS CIO and DHS CIO.
- 4) RCD submits the package to OMB. OMB approval under emergency will only be valid for 6 months. To extend the validity of the OMB approval beyond 6 months, RCD would need to publish the 60- and 30-day Notices as normal and then resubmit the package to OMB.

As a side note, the interior enforcement EO took away the Privacy Act protections that the USG had extended to non-citizens (by policy I believe). This change may significantly impact how the Privacy Act is interpreted w/r/t USCIS forms and systems, and may or may not cause changes to our Privacy Threshold Analyses which support the PRA process. We need to get a legal opinion on whether our PTAs, etc. will change because of this, and if we can update the relevant PRA supporting documents as they come up in the queue (i.e. as RCD starts work upon expiration) or if this needs to be implemented immediately (which would be a significant workload).

For regs, the time it took to get the EA rules out from the Nov. 20, 2014 memo are good barometers of the average timeline when there is WH support and it's moving as an emergency action:

- Average of 12-16 months for drafting and publishing an NPRM (but note that there was already some work done on EA before the 11/2014 announcement)
- Average of 6-8 months to review public comments, draft final rule, and publish the final rule.

Caveats: 1) The above assumes a relatively hands-off approach of OGC staff-level attorneys and economists prior to moving to OGC FO, S1 FO, and OMB. Also assumes that the timelines for S1 FO review will be similarly expedited (i.e. a matter of hours wherein the Assistant General Counsel briefs S1 and obtains signature). 2) The "effective date" will largely depend on the speed that our computer systems can be stood up. 3) Also, of course, depends on the number and complexity of public comments received and the continued availability of monetary resources to fund contractor support of our regulatory projects (comment analysis).

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 11:42 AM

To: Renaud, Daniel M; Groom, Molly M; Neufeld, Donald W; Walters, Jessica S

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

Ok - thanks

Larry Levine Acting Chief Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

**Sent:** Sunday, January 29, 2017 11:40:01 AM

To: Levine, Laurence D; Groom, Molly M; Neufeld, Donald W; Walters, Jessica S

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

As of right now, we are holding all applications and petitions from led by individuals from the 7 countries. We did let an N-400 ceremony and an N-600 ceremony go forward yesterday.

We expect today to put out general guidance that the EO does not impact citizenship cases. DHS is reviewing the language. Everything else is on hold.

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 11:24:57 AM

To: Groom, Molly M; Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

Has anything gone out to our field folks at this point about pendings?

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Groom, Molly M

Sent: Saturday, January 28, 2017 9:21:08 PM

To: Levine, Laurence D; Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Walters, Jessica S

Subject: RE: Executive Order

Trying to get best information.

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 9:20:37 PM

To: Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M

Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Groom, Molly M; Walters, Jessica S Subject: RE: Executive Order Reuters is reporting that the stay covers holders of valid IV and NIVs and arriving refugees Larry Levine **Acting Chief** Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security (b)(6) From: Levine, Laurence D Sent: Saturday, January 28, 2017 9:08:36 PM To: Neufeld, Donald W; Walters, Jessica S; Renaud, Daniel M Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Groom, Molly M; Walters, Jessica S Subject: RE: Executive Order I've only seen this on Twitter, but it looks like a judge in EDNY has granted a nationwide stay of the refugee EO. I haven't been able to nail down a copy of the actual order, so I have no actual details. Anyone else hear anything? Larry Levine **Acting Chief** Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security (b)(6) From: Neufeld, Donald W Sent: Saturday, January 28, 2017 12:54:08 PM To: Walters, Jessica S; Renaud, Daniel M Cc: Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D; Groom, Molly M;

Walters, Jessica S

Subject: RE: Executive Order

Yes, thanks. I've shared with my folks too.

From: Walters, Jessica S

Sent: Saturday, January 28, 2017 12:41:04 PM

To: Renaud, Daniel M

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M; Walters, Jessica S **Subject:** RE: Executive Order

Thanks very much.

Jessica S. Walters
Senior Advisor
Office of the USCIS Deputy Director
U.S. Citizenship and Immigration Services

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:16 AM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D; Groom,

Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

This email and any attachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

Sent: Saturday, January 28, 2017 11:42 AM To: Renaud, Daniel M; Kvortek, Lisette E Cc: Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde

**DHS USCIS** 

Field Operations Directorate, Deputy Associate Director

\_\_\_\_\_(b))(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J; Emrich,

Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

From: Ruppel, Joanna

(b)(6)

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J; Emrich,

Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside: Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J; Emrich,

Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you

on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L; Davidson,

Andrew J; Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and 

..TPS/DACA,-------

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries

abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 5:59:36 PM To: Renaud, Daniel M; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M.

Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

FYI.	I think Andrew might be right in terms of what is meant but	

(b)(5)

· · · · · · · · · · · · · · · · · · ·	(b))(5)
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM  -To: Renaud, Tracy L	
Tracy,	
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attact 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (conferesting immigrants and non-immigrants from the designated countries of interest and resident applications. Though the EA states "immigrant and non-immigrant entry into the U we "admit" that person.  We just need to clarify if by extension this applies to our product lines. It this is the case the to the Field to put these adjudications on hold. Other than the refugee suspension that appear the most urgent clarification we need relative to the EAs.	c) relative to the 30 day suspension I if this extends to processing of permanent Inited States", once we grant an adjustment on Don and Dan will need to get guidance
Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security III Massachusetts Avenue, NW Washington, DC 20529	
	(b))(6)

## Gillispie, Anna E

From:

Tynan, Natalie S

Sent:

Sunday, January 29, 2017 9:04 AM

--To:

Cummings, Kevin J, Parascandola, Ciro A, Levine, Laurence D

Subject:

RE: Executive Order

I agree guys. The major questions that come to mind are legal and operational. We should be prepared to put some of them forward, but from a policy perspective we are gong to have to wait for that guidance before we know what direction to take.

Having said that, it is worth looking at forms because I am sure we will have to make revisions to include vetting questions such as social media. Again though, the vetting aimed at national interest and benefit to this country change the adjudication of petitions.

I appreciate your thoughts so please share as things come up! Clearly this is fluid.

N

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 9:57:36 AM **To:** Parascandola, Ciro A; Levine, Laurence D

Cc: Tynan, Natalie S

Subject: RE: Executive Order

I completely agree. Legal decisions/interpretations are key at the outset.

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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From: Parascandola, Ciro A

Sent: Sunday, January 29, 2017 9:57 AM

To: Levine, Laurence D

Cc: Cummings, Kevin J; Tynan, Natalie S

Subject: RE: Executive Order

Nat,

Kevin and I will might send you a few follow on notes on this, but my question from the EB side is that, while they want to suspend entry of these individuals for the time being, do they also intend for us to hold onto any requests for extensions of stay until the enhanced vetting procedures are in place? The text says "entry" but it's in the section explaining the need to review procedures prior to any benefit being granted. We will send you

anything else we can come up with. There is nothing really to state from a strict policy sense, but obviously OCC, SCOPS, the FO et al will like have the same questions regarding exactly what these provisions mean. We have these political advisors on board. They should reach out through their people to the WH to get clarification.

Kevin,-you agree?----

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalle S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Phillips, Mark

Sent: Sunday, January 29, 2017 9:25:20 AM

**To:** Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar,

Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 8:58:25 AM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

From: Anderson, Kathryn E Sent: Sunday, January 29, 2017 7:51:47 AM To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order		
I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:		
(b)(5)		
(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a) (12) of the INA, 8 U.S.C. 1187(a) (12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).		
2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.		
Kathryn		
Kathryn Anderson Acting Chief, International and Humanitarian Affairs Division Office of Policy and Strategy, U.S. Citizenship and Immigration Services Department of Homeland Security		

(**b**)(**6**)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalle S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

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I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

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Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

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To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

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- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

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Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna	Rup	pel
--------	-----	-----

Chief, International Operations Division

U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lorl L; Renaud, Danlel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	<b>(b)</b> )(5)
FYI. I think Andrew might be right in terms of what is meant but	
<b>.</b>	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	
It is my understanding that POTUS will sign the "Protecting the Natoday at 4:30pm. In complying with the EA I believe we need immeday suspension of processing immigrants and non-immigrants fro extends to processing of permanent resident applications. Though into the United States", once we grant an adjustment we "admit"	ediate clarification in Section 3 (c) relative to the 30 m the designated countries of interest and if this the EA states "immigrant and non-immigrant entry" (b)
	We just need to clarify if by extension this applies to
our product lines. If this is the case then Don and Dan will need to on hold. Other than the refugee suspension that appears fully dep clarification we need relative to the EAs.	
Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington. DC 20529	

## Gillispie, Anna E

From:

Parascandola, Ciro A

Sent:

Sunday, January 29, 2017 8:57 AM

·To:

Levine, Laurence D — — — —

Cc:

Cummings, Kevin J; Tynan, Natalie S

Subject:

RE: Executive Order

Nat,

Kevin and I will might send you a few follow on notes on this, but my question from the EB side is that, while they want to suspend entry of these individuals for the time being, do they also intend for us to hold onto any requests for extensions of stay until the enhanced vetting procedures are in place? The text says "entry" but it's in the section explaining the need to review procedures prior to any benefit being granted. We will send you anything else we can come up with. There is nothing really to state from a strict policy sense, but obviously OCC, SCOPS, the FO et al will like have the same questions regarding exactly what these provisions mean. We have these political advisors on board. They should reach out through their people to the WH to get clarification.

Kevin, you agree?

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Phillips, Mark

Sent: Sunday, January 29, 2017 9:25:20 AM

**To:** Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar,

Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 8:58:25 AM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

**From:** Anderson, Kathryn E

Sent: Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to——— weigh in on this decision also.

Kathryn

Kathryn Anderson	
Acting Chief, International and Humanitarian Af	fairs Division
Office of Policy and Strategy, U.S. Citizenship ar	nd Immigration Service:
Department of Homeland Security	
	( <b>b</b> )( <b>6</b> 6)
	()((-)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 6:30 AM

**To**: Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalle S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

**Subject:** RE: Executive Order

Thanks Sam

3

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS, Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna, Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate 1 U.S. Citizenship and Immigration Services

(D))((G)

This email and any attachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

Sent: Saturday, January 28, 2017 11:42 AM To: Renaud, Daniel M; Kvortek, Lisette E Cc: Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

**Subject:** RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud Acting Deputy Director US Citizenship & Immigration Services From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

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We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

(b)(6)

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Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

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To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

**Subject:** RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

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To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

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Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

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**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order
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From: Renaud; Daniel M  Sent: Friday, January 27, 2017 5:47 PM  To: Scialabba, Lori L; Higgins, Jennifer  Cc: Renaud, Tracy L; Neufeld, Donald W  Subject: RE: Executive Order
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Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Services
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M
Subject: FW: Executive Order (b)/(5)
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Тгасу,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person
We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.
Thanks,

Andrew Davidson

Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security

111 Massachusetts Avenue, NW

Washington, DC 20529

(b))(6)

## Gillispie, Anna E

From:

Hamilton, Cristina A

Sent:

Sunday, January 29, 2017 1:43 PM

To:---

Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Lee, Robert E; Parascandola, Ciro A;

Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

RE: Executive Order

Ok, the way I plan to proceed, which I think is consistent with what you want, Larry, is that I will be going through the very helpful chart that Shannon provided, and filling in questions I have on the provisions in the column for Questions. So it's clear which division is raising the question I am going to edit the column to label it NSBI Questions. I'll send that to the entire group for visibility when completed—sometime this evening.

I'm assuming Natalie will then roll-up all the questions each of us submits-- weeding out duplicative questions-- into a master chart for OP&S. Larry, I recommend that you send to Jess for the use of D1/D2, (consistent with D1s request for consolidated questions from components—we weren't asked but they should be made aware of our questions). My understanding/recommendation is that our master chart will be posted to the OP&S ECN (and presumably regularly updated as needed), and used by us for discussions: internal to OP&S; with other components and USCIS or DHS leadership; and for inter-agency discussions.

Cristina Hamilton
Chief, National Security and
Benefits Integrity Division
Office of Policy and Strategy, USCIS



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From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

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Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
-U:S: Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

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Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

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Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM

-To:-Renaud, Daniel M;-Kvortek, Lisette E-----

Cc: Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

(b)(6)

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

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Sent: Friday, January 27, 2017 8:04:01 PM

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Davidson, Andrew J; Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for

Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

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**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of

nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.
The state of the s
From: Scialabba, Lori L Sent: Friday, January 27, 2017 5:59:36 PM To: Renaud, Daniel M; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order
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From: Renaud, Daniel M Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order
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Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Services
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order
FYI. I think Andrew might be right in terms of what is meant but
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this

extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry

into the United States", once we grant an adjustment we "admit" that person.

**(b)**(5)

We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security

111 Massachusetts Avenue, NW

Washington DC 20529

(b)(6)

## Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 12:19 PM

To:

-Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E;

Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y;

Tynan, Natalie S

Subject:

**RE: Executive Order** 

Attachments:

StayOrder.pdf

Attached is the stay order from last night. I've also heard that mandamus actions regarding the EO holds may be coming our way.

Larry Levine Acting Chief

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

From: Prelogar, Brandon B

Sent: Sunday, January 29, 2017 1:11:27 PM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'd only add re: rescission of TRIG exemptions that nothing in the EO prevents the continued application of the existing exemptions to TRIG cases while that consideration process takes place. Similar to Kathryn's point about entry vs admission, while I understand the desire to make sure we are not moving forward on cases we shouldn't be processing, we should also be careful not to over-read the EO's directives.

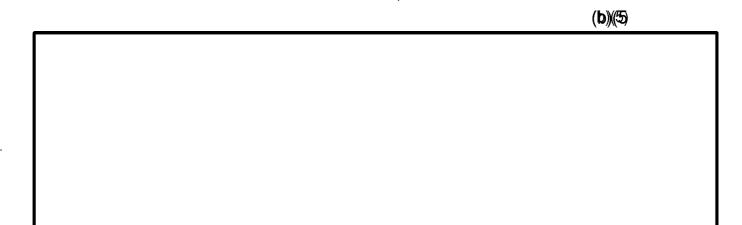
From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:



- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
  - 2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

### Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services

Department of Homeland Security	

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected. --Kevin Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you. From: Levine, Laurence D Sent: Sunday, January 29, 2017 6:29 AM To: Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order Thanks Sam Larry Levine **Acting Chief** Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security (b)(6) From: Deshommes, Samantha L Sent: Saturday, January 28, 2017 11:18:11 PM To: Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order Sure thing...will take a look tomorrow morning.

Samantha Deshommes

Chief, Regulatory Coordination Division

USCIS. Office of Policy & Strategy

(b)(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

To: Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen

A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Field Operations Directorate 1 U.S. Citizenship and Immigration Services

(b)(6)

This email and any ettachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

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Michael Valverde DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

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Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Tracy L. Renaud Acting Deputy Director US Citizenship & immigration Services Department of Homeland Security

(b)(6)

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Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services



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Lori

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Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

(b)(5)

FYI. I think Andrew might be right in terms of what is meant but

<b>(b)</b> ((5)
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Tracy,
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We just need to clarify if by extension this applies to
our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.
Thanks,
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529
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:	<b>DECISION AND ORDER</b>
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On January 28, 2017, the petitioners filed an Emergency Motion for Stay of Removal on behalf of themselves and others similarly situated.

IT APPEARING to the Court from the Emergency Motion for Stay of Removal, the other submissions, the arguments of counsel, and the hearing held on the 28th of January, 2017,

The petitioners have a strong likelihood of success in establishing that the removal of the
petitioner and others similarly situated violates their rights to Due Process and Equal
Protection guaranteed by the United States Constitution;

- 2. There is imminent danger that, absent the stay of removal, there will be substantial and irreparable injury to refugees, visa-holders, and other individuals from nations subject to the January 27, 2017 Executive Order;
- The issuance of the stay of removal will not injure the other parties interested in the proceeding;
- 4. It is appropriate and just that, pending completion of a hearing before the Court on the merits of the Petition, that the Respondents be enjoined and restrained from the commission of further acts and misconduct in violation of the Constitution as described in the Emergency Motion for Stay of Removal.

WHEREFORE, IT IS HEREBY ORDERED that the respondents, their officers, agents, servants, employees, attorneys, and all members and persons acting in concert or participation with them, from the date of this Order, are

ENJOINED AND RESTRAINED from, in any manner or by any means, removing individuals with refugee applications approved by U.S. Citizenship and Immigration Services as part of the U.S. Refugee Admissions Program, holders of valid immigrant and non-immigrant visas, and other individuals from Iraq, Syria, Iran, Sudan, Libya, Somalia, and Yemen legally authorized to enter the United States.

IT IS FURTHER ORDERED that to assure compliance with the Court's order, the Court directs service of this Order upon the United States Marshal for the Eastern District of New York, and further directs the United States Marshals Service to take those actions deemed necessary to enforce the provisions and prohibitions set forth in this Order.

Case 1:17-cv-00480 Document 8 Filed 01/28/17 Page 3 of 3 PageID #: 83

SO ORDERED.

Ann M. Donnelly United States District Judge

Dated: Brooklyn, New York January 28, 2017

# Gillispie, Anna E

From:

Prelogar, Brandon B

Sent:

Sunday, January 29, 2017 12:11 PM

To:

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From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 7:51:47 AM

To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

things:

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a) (12) of the INA, 8 U.S.C. 1187(a) (12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

(**b**)(5)

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

### Kathryn

Kathryn Anderson	
Acting Chief, International and Humanitarian A	ffairs Division
Office of Policy and Strategy, U.S. Citizenship ar	nd Immigration Services
Department of Homeland Security	_
	1
	(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine	
Acting Chief	
Office of Policy &	Strategy
•	nd Immigration Services
Department of Ho	<u> </u>
	( <b>b</b> )( <b>6</b> )

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS. Office of Policy & Strategy

\_\_\_\_

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

(b)(6)

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Clro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slattery

Field Operations Directorate 1 U.S. Citizenship and Immigration Services

(**b**)((6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director
(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

**Subject:** FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud Acting Deputy Director US Citizenship & Immigration Services

Department of Homeian	Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag 1-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L.

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer

Subject: RE: Executive Order
I think that's o.k. and going forward don't schedule these for interviews.
From: Renaud, Daniel M_ Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order
If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.
Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Services
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order  (b)(5)
FYI. I think Andrew might be right in terms of what is meant but
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order
Tracy,
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry into the United States", once we grant an adjustment we "admit" that person.
We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.
Thanks,
Andrew Davidson

Cc: Renaud, Tracy L; Neufeld, Donald W

Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security

Washington	חכ	20529	

111 Massachusetts Avenue, NW

(b)(6)

# Gillispie, Anna E

From:

Levine, Laurence D

Sent:

Sunday, January 29, 2017 10:47 AM

To:--

-Anderson, Kathryn E; Cummings, Kevin J; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L;

Silwany, Oscar Y

Subject:

RE: Executive Order

Thanks K - an N-400 and N-600 ceremony went forward yesterday and they are working to clear guidance about allowing citizenship cases to proceed, but of course I don't really know the details of what that means or who it applies to.

Larry Levine **Acting Chief** Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security

(b)(6)

From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 11:37:37 AM

To: Levine, Laurence D; Cummings, Kevin J; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Guidance FOD sent out below:

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:12 AM

To: Cowan, Robert M; Looney, Robert V; Muzyka, Carolyn L; Pietropaoli, Lori A; Redman, Kathy A; Gallagher, Kevin E;

Goodwin, Shelley M; Robinson, Terri A; Tierney, Therese A; Woo, Ellen Y; FOD-DDs-DDDs-COS; FOD-FODs

Cc: Dominquez, Kathleen P; Upchurch, Evelyn M; Kendrick, Rose M; Quimby, Christopher M (Chris); Rinehart, Brett R; Sapko, Jeffrey M; Spencer, Julie C; Young, Claudia F; Valverde, Michael; Neufeld, Donald W; Kvortek, Lisette E; Farnam,

Julie E; Slattery, Shannon E; Renaud, Tracy L; Davidson, Andrew J; Scialabba, Lori L

Subject: Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES -

**Field Operations Instructions** 

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry immigrants and nonimmigrants who are from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

Effectively immediately and until additional guidance is received, you may not take final action on any petition

or application where the applicant is a citizen or national of Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya. Field offices may interview applicants for adjustment of status and other benefits according to current processing guidance and may process petitions and applications for individuals from these countries up to the point where a decision would be made. At that point, cases shall be placed on hold until further notice and will be shelved with specific NFTS codes which will be provided through the Regional Offices. Offices are not permitted make any final decision on affected cases to include approval, denial, withdrawal, or revocation.

Please look for additional guidance later this weekend on how to process naturalization applicants from one of the seven countries listed above who are currently scheduled for oath ceremony or whose N-400s have been approved and they are pending scheduling of oath ceremony.

We expect to issue more detailed guidance and procedures as needed in the coming days. Questions or requests for additional clarification may be directed to the Regional Offices through your chain of command.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 11:26 AM

**To:** Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Just asked - I'll keep you posted

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 11:19:35 AM

**To:** Anderson, Kathryn E; Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

I have not seen anything, although Don Neufeld alluded to guidance that he could send out sometime today. Larry, could you check with Don?

--Kevin

Kevin J. Cummings

Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 10:48 AM

**To:** Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

I saw that FOD sent out guidance to the field yesterday indicating that no final action can be taken on any petition or application for a citizen or national of one of the 7 countries, pending further guidance to come. Processing and interviewing can continue, but the case is to be placed on hold before a final decision is made. NPR seems to have picked up on this and reported it. I'm not sure whether SCOPS has issued any guidance. Has anyone seen?

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Phillips, Mark

Sent: Sunday, January 29, 2017 9:25:20 AM

To: Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L;

Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar,

Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 8:58:25 AM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

From: Anderson, Kathryn E

**Sent:** Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn Anderson	
Acting Chief, International and Humanitarian	
Office of Policy and Strategy, U.S. Citizenship	and Immigration Services
Department of Homeland Security	1
	( <b>b</b> )(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

**Sent:** Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine Acting Chief Office of Policy & Strategy U.S. Citizenship and Immigration Services Department of Homeland Security  (b)(6)
From: Deshommes, Samantha L Sent: Saturday, January 28, 2017 11:18:11 PM To: Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: RE: Executive Order
Sure thingwill take a look tomorrow morning.
Samantha Deshommes Chief, Regulatory Coordination Division USCIS, Office of Policy & Strategy  (b)(6)
From: Levine, Laurence D Sent: Saturday, January 28, 2017 8:28:08 PM To: Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rlgdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S Subject: FW: Executive Order
All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference). Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN. Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannen E. Slottery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Trocy L. Renaud Acting Deputy Director US Citizenship & Immigration Services

Department of Homeland Security		
		( <b>b</b> )

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lorl L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Chief, International Operations Divisi U.S. Citizenship and Immigration Ser	
	( <b>b</b> ))(

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer

I think that's o.k. and going forward don't schedule these for interviews.	
From: Renaud, Daniel M Sent: Friday, January 27, 2017 5:47 PM To: Scialabba, Lori L; Higgins, Jennifer	
Cc: Renaud, Tracy L; Neufeld, Donald W Subject: RE: Executive Order	
If we can define "suspend processing" as "suspend prior to approval", then one option woul interviews, since it is likely we have some that are scheduled as soon as Monday for affected the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when interviews scheduled for individuals from affected countries. We should have that sometimes	d applicants and then hold nand where we have
Daniel M. Renaud Associate Director, Field Operations Directorate Department of Homeland Security   U.S. Citizenship and Immigration Services	
From: Scialabba, Lori L Sent: Friday, January 27, 2017 12:43 PM To: Higgins, Jennifer	
Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order	( <b>b</b> ))(5)
FYI. I think Andrew might be right in terms of what is meant but	
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	
It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attack today at 4:30pm. In complying with the EA I believe we need immediate clarification in Sectiday suspension of processing immigrants and non-immigrants from the designated countries extends to processing of permanent resident applications. Though the EA states "immigrant into the United States", once we grant an adjustment we "admit" that person	ion 3 (c) relative to the 30 (b))
our product lines. If this is the case then Don and Dan will need to get guidance to the Field on hold. Other than the refugee suspension that appears fully deployed on our end this app clarification we need relative to the EAs.	to put these adjudications
Thanks,	
Andrew Davidson	

**Cc:** Renaud, Tracy L; Neufeld, Donald W **Subject:** RE: Executive Order

Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW
Washington, DC 20529
······ ( <b>b</b> )( <b>6</b> )···

### Gillispie, Anna E

From:

Anderson, Kathryn E

Sent:

Sunday, January 29, 2017 10:38 AM

To:

Levine, Laurence D; Cummings, Kevin-J; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L;

Silwany, Oscar Y

Subject:

RE: Executive Order

Guidance FOD sent out below:

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:12 AM

**To:** Cowan, Robert M; Looney, Robert V; Muzyka, Carolyn L; Pietropaoli, Lori A; Redman, Kathy A; Gallagher, Kevin E; Goodwin, Shelley M; Robinson, Terri A; Tierney, Therese A; Woo, Ellen Y; FOD-DDs-DDs-COS; FOD-FODs

Cc: Dominguez, Kathleen P; Upchurch, Evelyn M; Kendrick, Rose M; Quimby, Christopher M (Chris); Rinehart, Brett R; Sapko, Jeffrey M; Spencer, Julie C; Young, Claudia F; Valverde, Michael; Neufeld, Donald W; Kvortek, Lisette E; Farnam, Julie E; Slattery, Shannon E; Renaud, Tracy L; Davidson, Andrew J; Scialabba, Lori L

**Subject:** Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES - Field Operations Instructions

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry immigrants and nonimmigrants who are from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

Effectively immediately and until additional guidance is received, you may not take final action on any petition or application where the applicant is a citizen or national of Syria, Iraq, Iraq, Somalia, Yemen, Sudan, and Libya. Field offices may interview applicants for adjustment of status and other benefits according to current processing guidance and may process petitions and applications for individuals from these countries up to the point where a decision would be made. At that point, cases shall be placed on hold until further notice and will be shelved with specific NFTS codes which will be provided through the Regional Offices. Offices are not permitted make any final decision on affected cases to include approval, denial, withdrawal, or revocation.

Please look for additional guidance later this weekend on how to process naturalization applicants from one of the seven countries listed above who are currently scheduled for oath ceremony or whose N-400s have been approved and they are pending scheduling of oath ceremony.

We expect to issue more detailed guidance and procedures as needed in the coming days. Questions or requests for additional clarification may be directed to the Regional Offices through your chain of command.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security From: Levine, Laurence D

Sent: Sunday, January 29, 2017 11:26 AM

**To:** Cummings, Kevin J; Anderson, Kathryn E; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Just asked - I'll keep you posted

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

\_\_\_\_\_

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 11:19:35 AM

To: Anderson, Kathryn E; Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Deshommes, Samantha L; Beverldge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

I have not seen anything, although Don Neufeld alluded to guidance that he could send out sometime today. Larry, could you check with Don?

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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From: Anderson, Kathryn E

**Sent:** Sunday, January 29, 2017 10:48 AM

**To:** Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

I saw that FOD sent out guidance to the field yesterday indicating that no final action can be taken on any petition or application for a citizen or national of one of the 7 countries, pending further guidance to come. Processing and interviewing can continue, but the case is to be placed on hold before a final decision is made.

NPR seems to have picked up on this and reported it. I'm not sure whether SCOPS has issued any guidance. Has anyone seen?

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalle S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Phillips, Mark

Sent: Sunday, January 29, 2017 9:25:20 AM

**To:** Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar,

Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 8:58:25 AM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beverldge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S  Subject: RE: Executive Order
I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:
(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.
Kathryn
Kathryn Anderson Acting Chief, International and Humanitarian Affairs Division Office of Policy and Strategy, U.S. Citizenship and Immigration Services Department of Homeland Security

(b)(6)

From: Cummings, Kevin J

Sent: Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Paras A; Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Robert B; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Robert B; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Robert B; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Robert B; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Robert B; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Robert B; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Robert B; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Robert B; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Robert B; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Robert B; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Robert B; Parascandola, Ciro A; Phillips, Mark; Prelogar, B; Parascandola, Ciro A; Phillips, Mark; Prelogar, B; Parascandola, Ciro A; Phillips, Mark; Prelogar, B; Parascandola, Ciro A; Phillips, Mark; Prelogar, B; Parascandola, Ciro A; Phillips, Mark; Prelogar, B; Parascandola, Ciro A; Phillips, Mark; Prelogar, B; Parascandola, Ciro A; Phillips, Mark; Prelogar, B; Parascandola, Ciro A; Phillips, Mark; Prelogar, B; Parascandola, Ciro A; Phillips, Mark; Prelogar, B; Parascandola, Ciro A; Phillips, Mark; Prelogar, B; Parascandola, Ciro A; Phillips, Mark; Prelogar, B; Parascandola, Ciro A; Phillips, Mark; Prelogar, Phillips, Phillips, Phillips, Phillips, Phillips, Phillips, Phillips, Phillips, Phillips, Phillips, Phillips, Phillips, Phillips, Phillips, Phillips,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes
Chief, Regulatory Coordination Division

From: Levine, Laurence D

Sent: Saturday, January 28, 2017-8:28:08-PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks, Larry

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M

Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

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I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattory

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde	•
DHS USCIS	
Field Operations Directo	prate, Deputy Associate Director
	(b))(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?

5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

Subject: RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

## Joanna Ruppel

Chief, International Operations Division

U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

From: Neufeld, Donald W

**Sent:** Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud
Associate Director, Field Operations Directorate
Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M Subject: FW: Executive Order  FYI. I think Andrew might be right in terms of what is meant but	(b))(5)
From: Davidson, Andrew J Sent: Friday, January 27, 2017 12:37 PM To: Renaud, Tracy L Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L Subject: Executive Order	
Tracy,	
It is my understanding that POTUS will sign the "Protecting the Nation for today at 4:30pm. In complying with the EA I believe we need immediate day suspension of processing immigrants and non-immigrants from the extends to processing of permanent resident applications. Though the into the United States", once we grant an adjustment we "admit" that	e clarification in Section 3 (c) relative to the 30 e designated countries of interest and if this EA states "immigrant and non-immigrant entry
Our product lines. If this is the case then Don and Dan will need to get gon hold. Other than the refugee suspension that appears fully deployed clarification we need relative to the EAs.	
Thanks,	
Andrew Davidson Acting Deputy Associate Director Fraud Detection and National Security Directorate U.S. Citizenship and Immigration Services U.S. Department of Homeland Security 111 Massachusetts Avenue, NW Washington, DC 20529	
( <b>b</b> )(6)	

# Gillispie, Anna E

From:

Tynan, Natalie S

Sent:

Sunday, January 29, 2017 10:19 AM

-To: -

Anderson, Kathryn E; Levine, Laurence D; Phillips, Mark; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L;

Silwany, Oscar Y

Subject:

RE: Executive Order

I haven't seen anything else Kathryn

N

From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 10:48:25 AM

**To:** Levine, Laurence D; Phillips, Mark; Tynan, Natalie S; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

I saw that FOD sent out guidance to the field yesterday indicating that no final action can be taken on any petition or application for a citizen or national of one of the 7 countries, pending further guidance to come. Processing and interviewing can continue, but the case is to be placed on hold before a final decision is made. NPR seems to have picked up on this and reported it. I'm not sure whether SCOPS has issued any guidance. Has anyone seen?

From: Levine, Laurence D

Sent: Sunday, January 29, 2017 9:35:13 AM

**To:** Phillips, Mark; Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar, Brandon B;

Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

These are exactly the kinds of points we should raise tomorrow. I'm not sure yet what forums will be available to raise them yet.

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Phillips, Mark

Sent: Sunday, January 29, 2017 9:25:20 AM

**To:** Tynan, Natalie S; Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Prelogar,

Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Kathryn raises great points. If the EO is restricted to "entries," we should be able to adjudicate natz, adjustment, TPS, and non-immigrant applications where the applicant is physically present in the United States.

From: Tynan, Natalie S

Sent: Sunday, January 29, 2017 8:58:25 AM

**To:** Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Subject: RE: Executive Order

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

From: Anderson, Kathryn E

**Sent:** Sunday, January 29, 2017 7:51:47 AM

To: Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

(b)(5)

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the

date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

\_2. \_FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kathryn

Kathryn Anderson	
Acting Chief, International and Humanitarian A	Affairs Division
Office of Policy and Strategy, U.S. Citizenship a	nd Immigration Service
Department of Homeland Security	_

(b)(6)

From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalle S

Subject: RE: Executive Order

The	anks	Sam

Larry Levine
Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Deshommes, Samantha L

Sent: Saturday, January 28, 2017 11:18:11 PM

**To:** Levine, Laurence D; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Sure thing...will take a look tomorrow morning.

Samantha Deshommes Chief, Regulatory Coordination Division USCIS, Office of Policy & Strategy

(b))(6)

From: Levine, Laurence D

Sent: Saturday, January 28, 2017 8:28:08 PM

**To:** Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: FW: Executive Order

All - very interesting chain (that we were added to a bit late) and a good starting matrix. I think regular meetings will start Monday, so I think we need to make edits and additions to this ASAP so we can have something Monday morning. Sam - can you give up absolute minimums for changing refs and forms, both in the regular course of business as well in an emergency context (if there is such a difference).

Please include the whole chain as we make edits for now and when there's some breathing room Monday we'll figure out how to get this on ECN.

Thanks,

Larry

Larry Levine

Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b))(65)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud
Associate Director | Field Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Slattery, Shannon E

Sent: Saturday, January 28, 2017 12:16:07 PM To: Valverde, Michael; Renaud, Daniel M Cc: Farnam, Julie E; Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattery

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

This email and any attachments is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use, copying, or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy the original transmission and all copies.

From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde
DHS USCIS
Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Renaud, Tracy L

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

Subject: RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more

urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud Acting Deputy Director US Citizenship & Immigration Services Department of Homeland Security



From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

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We are working on further guidance and of course will coordinate with SCOP.

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Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

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Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan. Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

Lori

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**Sent:** Friday, January 27, 2017 8:00 PM

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Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

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Cc: Renaud, Tracy L; McCament, James W

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Cc: Renaud, Tracy L

Subject: RE: Executive Order

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Cc: Renaud, Tracy L

Subject: RE: Executive Order

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Daniel M. Renaud	
Associate Director, Field Operations Directorate	
Department of Homeland Security   U.S. Citizenship and Immigration Services	
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Sent: Friday, January 27, 2017 12:43 PM	
To: Higgins, Jennifer	
Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M	
Subject: FW: Executive Order	<b>(b)</b> ((5)
	()/(-)
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Thanks,			
-Andrew Davidson			
Acting Deputy Associate Director			
Fraud Detection and National Security Directorate	* · · · · · · · · · · · · · · · · · · ·		=
U.S. Citizenship and Immigration Services	•		
U.S. Department of Homeland Security			
111 Massachusetts Avenue, NW			
Washington, DC 20529			
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( <b>b</b> )(6)			

on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent clarification we need relative to the EAs.

# Gillispie, Anna E

From: Tynan, Natalie S

**Sent:** Friday, January 27, 2017 7:06 PM

To: Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes,

Samantha L; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A;

Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y

Cc: Levine, Laurence D; Rather, Michael B

**Subject:** FW: Two Questions

Attachments: 2017protectingtheNationfromTerroristEntryintotheUnitedStates.eo.rel.docx

Hi All – attached is the executive order signed early this evening by the President. Please let me, Mike and Larry know if any questions or immediate impacts to policy come to mind. Next week, we may want to consider pulling relevant policy guidance and start thinking about new guidance that will have to be issued. Hopefully we will have more information.

In the meantime, please send any questions!

Thanks, Natalie

Here is a quick summary (please read the entire document – I tried to hit the "highlights"):

- 1. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. There are review and reporting requirements that shall be completed within 30 days and additional follow up reporting requirements. While the review is conducted, the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a) (12) of the INA, 8 U.S.C. 1187(a) (12), is suspended for 90 days. The Secretary shall provide a list of countries that do not provided necessary information to adjudicate and additional countries may be added. Visas may be issued to nationals of "blocked" countries in the national interest.
- 2. Implementing Uniform Screening Standards for All Immigration Programs A program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission will be created and will include development of a uniform screening standard and procedure; a database of identity documents proffered by applicants; amended application forms with questions aimed at identifying fraudulent answers and malicious intent; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
- 3. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. Suspension of the U.S. Refugee Admissions Program (USRAP) for 120 days for review of the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for

refugee admission do not pose a threat to the security and welfare of the United States. After 120 days, USRAP admissions resume for nationals of countries for which have been determined that such additional procedures are adequate to ensure the security and welfare of the United States. Refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality will be prioritized. Admission of refugees from Syria will be suspended. The refugee limit will be 50,000 for fiscal year 2017.

- 4. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.
- 5. Expedited Completion of the Biometric Entry-Exit Tracking System.
- 6. Visa Interview Security. The visa interview waiver program is suspended to ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.
- 7. <u>Visa Validity Reciprocity</u>. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal.

Natalie S. Tynan	
Senior Advisor	
USCIS, Office of Policy & Strategy	
20 Massachusetts Ave.	
Washington, DC	
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	(b)\\(\text{GS}\)
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# THE WHITE HOUSE Office of the Press Secretary

For Immediate Release

January 27, 2017

#### EXECUTIVE ORDER

PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Immigration and Nationality Act (INA), 8 U.S.C. 1101 et seq., and section 301 of title 3, United States Code, and to protect the American people from terrorist attacks by foreign nationals admitted to the United States, it is hereby ordered as follows:

Section 1. Purpose. The visa-issuance process plays a crucial role in detecting individuals with terrorist ties and stopping them from entering the United States. Perhaps in no instance was that more apparent than the terrorist attacks of September 11, 2001, when State Department policy prevented consular officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder nearly 3,000 Americans. And while the visa-issuance process was reviewed and amended after the September 11 attacks to better detect would-be terrorists from receiving visas, these measures did not stop attacks by foreign nationals who were admitted to the United States.

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visaissuance process to ensure that those approved for admission

\_\_do not intend to harm Americans and that they have no ties to terrorism.

In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law. In addition, the United States should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation.

- Sec. 2. Policy. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.
- Sec. 3. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. (a) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall immediately conduct a review to determine the information needed from any country to adjudicate any visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public-safety threat.
- (b) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the President a report on the results of the review described in subsection (a) of this section, including the Secretary of Homeland Security's determination of the information needed for adjudications and a list of countries that do not provide adequate information, within 30 days of the date of this order. The Secretary of Homeland Security shall provide a copy of the report to the Secretary of State and the Director of National Intelligence.
- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in

subsection (a) of this\_section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

- (d) Immediately upon receipt of the report described in subsection (b) of this section regarding the information needed for adjudications, the Secretary of State shall request all foreign governments that do not supply such information to start providing such information regarding their nationals within 60 days of notification.
- (e) After the 60-day period described in subsection (d) of this section expires, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the President a list of countries recommended for inclusion on a Presidential proclamation that would prohibit the entry of foreign nationals (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas) from countries that do not provide the information requested pursuant to subsection (d) of this section until compliance occurs.
- (f) At any point after submitting the list described in subsection (e) of this section, the Secretary of State or the Secretary of Homeland Security may submit to the President the names of any additional countries recommended for similar treatment.
- (g) Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration

benefits to nationals of countries for which visas and benefits
are otherwise blocked.

- (h) The Secretaries of State and Homeland Security shall submit to the President a joint report on the progress in implementing this order within 30 days of the date of this order, a second report within 60 days of the date of this order, a third report within 90 days of the date of this order, and a fourth report within 120 days of the date of this order.
- Sec. 4. Implementing Uniform Screening Standards for All Immigration Programs. (a) The Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation shall implement a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission. This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
- (b) The Secretary of Homeland Security, in conjunction with the Secretary of State, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall submit to the President an initial report on the progress of this directive within 60 days of the date of this order, a second report within 100 days of the date of this order, and a third report within 200 days of the date of this order.
- Sec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. (a) The Secretary of State shall suspend the U.S. Refugee Admissions Program (USRAP) for 120 days. During the 120-day period, the Secretary of State, in

conjunction with the Secretary of Homeland Security and in consultation with the Director of National Intelligence, shall review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States, and shall implement such additional procedures. Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures. Upon the date that is 120 days after the date of this order, the Secretary of State shall resume USRAP admissions only for nationals of countries for which the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States.

- (b) Upon the resumption of USRAP admissions, the Secretary of State, in consultation with the Secretary of Homeland Security, is further directed to make changes, to the extent permitted by law, to prioritize refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality. Where necessary and appropriate, the Secretaries of State and Homeland Security shall recommend legislation to the President that would assist with such prioritization.
- (c) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of nationals of Syria as refugees is detrimental to the interests of the United States and thus suspend any such entry until such time as I have determined that sufficient changes have been made to the USRAP to ensure that admission of Syrian refugees is consistent with the national interest.
- (d) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of more than 50,000 refugees in fiscal year 2017 would be detrimental to the interests of the United States, and thus suspend any such entry until such time as I determine that additional admissions would be in the national interest.
- (e) Notwithstanding the temporary suspension imposed pursuant to subsection (a) of this section, the Secretaries of

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State and Homeland\_Security\_may\_jointly\_determine\_to\_admit\_individuals to the United States as refugees on a case-by-case basis, in their discretion, but only so long as they determine that the admission of such individuals as refugees is in the national interest -- including when the person is a religious minority in his country of nationality facing religious persecution, when admitting the person would enable the United States to conform its conduct to a preexisting international agreement, or when the person is already in transit and denying admission would cause undue hardship -- and it would not pose a risk to the security or welfare of the United States.

- (f) The Secretary of State shall submit to the President an initial report on the progress of the directive in subsection (b) of this section regarding prioritization of claims made by individuals on the basis of religious-based persecution within 100 days of the date of this order and shall submit a second report within 200 days of the date of this order.
- (g) It is the policy of the executive branch that, to the extent permitted by law and as practicable, State and local jurisdictions be granted a role in the process of determining the placement or settlement in their jurisdictions of aliens eligible to be admitted to the United States as refugees. To that end, the Secretary of Homeland Security shall examine existing law to determine the extent to which, consistent with applicable law, State and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions, and shall devise a proposal to lawfully promote such involvement.
- Sec. 6. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.
- Sec. 7. Expedited Completion of the Biometric Entry-Exit Tracking System. (a) The Secretary of Homeland Security shall expedite the completion and implementation of a biometric entry-exit tracking system for all travelers to the United States, as recommended by the National Commission on Terrorist Attacks Upon the United States.

- President periodic reports on the progress of the directive contained in subsection (a) of this section. The initial report shall be submitted within 100 days of the date of this order, a second report shall be submitted within 200 days of the date of this order, and a third report shall be submitted within 365 days of the date of this order. Further, the Secretary shall submit a report every 180 days thereafter until the system is fully deployed and operational.
  - Sec. 8. Visa Interview Security. (a) The Secretary of State shall immediately suspend the Visa Interview Waiver Program and ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.
  - (b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic ability, to ensure that non-immigrant visa-interview wait times are not unduly affected.
  - Sec. 9. Visa Validity Reciprocity. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal insofar as practicable with respect to validity period and fees, as required by sections 221(c) and 281 of the INA, 8 U.S.C. 1201(c) and 1351, and other treatment. If a country does not treat United States nationals seeking nonimmigrant visas in a reciprocal manner, the Secretary of State shall adjust the visa validity period, fee schedule, or other treatment to match the treatment of United States nationals by the foreign country, to the extent practicable.
  - Sec. 10. Transparency and Data Collection. (a) To be more transparent with the American people, and to more effectively implement policies and practices that serve the national interest, the Secretary of Homeland Security, in consultation with the Attorney General, shall, consistent with

applicable law and national security, collect and make publicly \_\_\_\_ available within 180 days, and every 180 days thereafter:

- (i) information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons since the date of this order or the last reporting period, whichever is later;
- (ii) information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States, since the date of this order or the last reporting period, whichever is later; and
- (iii) information regarding the number and types of acts of gender-based violence against women, including honor killings, in the United States by foreign nationals, since the date of this order or the last reporting period, whichever is later; and
- (iv) any other information relevant to public safety and security as determined by the Secretary of Homeland Security and the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.
- (b) The Secretary of State shall, within one year of the date of this order, provide a report on the estimated long-term costs of the USRAP at the Federal, State, and local levels.
- Sec. 11. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:
  - (i) the authority granted by law to an executive department or agency, or the head thereof; or

- -(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.
- (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
January 27, 2017.

# # #

## Gillispie, Anna E

From:

Tynan, Natalie S

Sent:

Sunday, January 29, 2017 7:58 AM

To:

Anderson, Kathryn E; Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon,

Jerry L; Silwany, Oscar Y

Subject:

**RE: Executive Order** 

Thanks all. I really hope we have some legal guidance. There are a lot of issues.

From: Anderson, Kathryn E

Sent: Sunday, January 29, 2017 7:51:47 AM

**To:** Cummings, Kevin J; Levine, Laurence D; Deshommes, Samantha L; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

I'll look more closely at the chart, but upon first glance and after reading the chain below, I wanted to raise a couple things:

(b)(5)

- (c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).
  - 2. FOD has raised a question of whether TRIG hold cases should be adjudicated, indicating that the EO's directive in Section 6 to "consider rescinding" TRIG exemptions would seem to mean that new TRIG exemptions are not

forthcoming. This should certainly be a question for discussion (and a reconsideration of the agency's hold policy has recently been a topic of discussion, even before this order), but nothing in the EO requires us to take this step, and I would urge that it be thoughtfully considered before a decision to adjudicate all TRIG hold cases is made. OCC has also been very involved in the discussion to adjust the TRIG hold policy, and will certainly want to weigh in on this decision also.

Kath	rvn
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## Kathryn Anderson

Acting Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services

Department of Homeland Security



From: Cummings, Kevin J

**Sent:** Sunday, January 29, 2017 6:30 AM

**To:** Levine, Laurence D; Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

The I-129 and I-539 will definitely be affected.

--Kevin

Kevin J. Cummings Chief, Business & Foreign Workers Division USCIS Office of Policy and Strategy Department of Homeland Security

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From: Levine, Laurence D

Sent: Sunday, January 29, 2017 6:29 AM

**To:** Deshommes, Samantha L; Anderson, Kathryn E; Beveridge, Jennifer L (Jenna); Cummings, Kevin J; Dunn, Maureen A; Hamilton, Cristina A; Lee, Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B;

Rigdon, Jerry L; Silwany, Oscar Y; Tynan, Natalie S

Subject: RE: Executive Order

Thanks Sam

Larry Levine Acting Chief

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gs

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 12:34:16 PM

To: Walters, Jessica S

Cc: Neufeld, Donald W; Ruppel, Joanna; Young, Todd P; Slattery, Shannon E; Valverde, Michael; Levine, Laurence D;

Groom, Molly M

Subject: FW: Executive Order

FOD will be using the attached matrix to help identify questions and track implementation timelines. You may find is useful as well as we identify questions, develop guidance, and implementation plans.

Daniel M. Renaud Associate Director | Field Operations Directorate U.S. Citizenship and Immigration Services Department of Homeland Security

From: Slattery, Shannon E

**Sent:** Saturday, January 28, 2017 12:16:07 PM **To:** Valverde, Michael; Renaud, Daniel M **Cc:** Farnam, Julie E, Kvortek, Lisette E

Subject: RE: Executive Order

The attached document is a matrix breaking down the EO into its component parts and action items. I've added columns for QAs and started compiling those I saw come across this morning and some early ones I saw from Div. 1.

The Policy and general objectives language at the beginning pulls key language from the EO for quick reference when we're drafting statements. The date conversion chart indicates the calendar dates associated with any specific timeframe mentioned in the EO.

I am working to convert this to Excel over the weekend so it's a little more scalable, but wanted to pass it on for initial use.

Please let me know if you have any questions or see anything that needs editing.

Thanks,

Shannon E. Slattory

Field Operations Directorate | U.S. Citizenship and Immigration Services

(b)(6)

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From: Valverde, Michael

**Sent:** Saturday, January 28, 2017 11:42 AM **To:** Renaud, Daniel M; Kvortek, Lisette E **Cc:** Farnam, Julie E; Slattery, Shannon E

Subject: RE: Executive Order

For section 4, do we need to take any actions prior to the "plan" described in section four being developed and implemented? And who is responsible for developing the plan?

For section 6, should we adjudicate cases in TRIG hold? It doesn't seem like exemptions are forthcoming.

Michael Valverde

DHS USCIS

Field Operations Directorate, Deputy Associate Director

(b)(6)

From: Renaud, Daniel M

Sent: Saturday, January 28, 2017 11:34:15 AM

To: Kvortek, Lisette E

Cc: Valverde, Michael; Farnam, Julie E; Slattery, Shannon E

Subject: FW: Executive Order

To start and just on this part of the EO:

- 1. Are the following forms impacted: N-400s, N-336, I-601A, I-131, I-765, N-565, I-130, ...?
- 2. Should we deschedule oath ceremonies for individuals from the 7?
- 3. How do we handle N-400s 120+ days from interview?
- 4. Should we stop RFEs?
- 5. Should we stop scheduling interviews?

Daniel M. Renaud

Associate Director | Field Operations Directorate

U.S. Citizenship and Immigration Services

Department of Homeland Security

From: Renaud, Tracy L.

Sent: Saturday, January 28, 2017 11:21:12 AM

To: Ruppel, Joanna; Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: McCament, James W; Nicholson, Maura J; Kliska, Jennifer R; Walters, Jessica S

**Subject:** RE: Executive Order

Everyone should be compiling a list of all of their questions and getting them to Jess so Lori and I have a complete list. If there are URGENT questions that we need answers to before Monday go ahead and flag those for us but I'm not sure the Department is going to get to us immediately, they are likely dealing with issues at the POEs which have a bit more urgency. I did send the question of whether this impact naturalization or not to the Department in an attempt to get an answer this weekend only because we have oath ceremonies scheduled for Monday.

Tracy L. Renaud Acting Deputy Director US Citizenship & Immigration Services Department of Homeland Security

(b)(6)

From: Ruppel, Joanna

Sent: Saturday, January 28, 2017 9:54 AM

To: Neufeld, Donald W; Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W; Nicholson, Maura J; Kliska, Jennifer R

**Subject:** RE: Executive Order

I would also like to flag I-730s. While adjudication does not give status to those outside the US, it does for those inside. Also, since part of the directive is to reviewing to enhance information we collect and screening, we likely will be proposing changes to the I-730 process, to include revisions to the form and the I-730A, which would be completed by the beneficiary. We have mock ups and can move quickly, but need to think first about those in pipeline. Maura has giving directive to staff outside US to cancel pick up document pickups for 730s for next week.

We are working on further guidance and of course will coordinate with SCOP.

State has also issued guidance. Will forward.

Joanna

Joanna Ruppel

Chief, International Operations Division

U.S. Citizenship and Immigration Services

(b)(6)

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 5:34:17 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer; Ruppel, Joanna; Strack, Barbara L; Davidson, Andrew J;

Emrich, Matthew D

Cc: Renaud, Tracy L; McCament, James W

**Subject:** RE: Executive Order

I can do that but I think it's the same as what I've mentioned. It would be good to have time to consult with others. Can I get it to you on Monday?

And, in the meantime can I get something to the centers this weekend? I can share a draft email tomorrow.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 8:04:01 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer; Renaud, Daniel M; Ruppel, Joanna; Strack, Barbara L;

Davidson, Andrew J; Emrich, Matthew D
Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

O.K. Take Jennifer off the email chains. Don, I want one document with all your issues. Same goes for Dan, Joanna/Barbara and Matt/Andrew. We'll start regular meetings next week.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 8:00 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc:-Renaud,-Tracy L; McCament, James-W-------

Subject: RE: Executive Order

For clarity, what would be suspended are I-485s, I-539s, I-129s and I-131s. If I'm missing something please let me know.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:56:01 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L; McCament, James W

Subject: RE: Executive Order

I can get word out over the weekend to the centers to suspend processing. I just need the list of 7 countries to include in my message. The Directors are already on notice of the possibility. I would exclude from the suspension any petitions for beneficiaries abroad and TPS/DACA.

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 7:31:26 PM

To: Neufeld, Donald W; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

I think the answer to the first two is yes they are impacted for the 7 countries identified. Not sure about petitions for beneficiaries abroad. I'll ask.

From: Neufeld, Donald W

Sent: Friday, January 27, 2017 7:26 PM

To: Scialabba, Lori L; Renaud, Daniel M; Higgins, Jennifer

Cc: Renaud, Tracy L

Subject: RE: Executive Order

Thanks for sending this, Lori.

As we've discussed, the most urgent question is whether adjustments and extensions or changes of nonimmigrant status are impacted. Separately, is there any impact on petitions for beneficiaries abroad since we would not be determining admissibility? I would think not, but it would be good to have clarity.

From: Scialabba, Lori L

**Sent:** Friday, January 27, 2017 5:59:36 PM **To:** Renaud, Daniel M; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order

I think that's o.k. and going forward don't schedule these for interviews.

From: Renaud, Daniel M

**Sent:** Friday, January 27, 2017 5:47 PM **To:** Scialabba, Lori L; Higgins, Jennifer **Cc:** Renaud, Tracy L; Neufeld, Donald W

Subject: RE: Executive Order----

If we can define "suspend processing" as "suspend prior to approval", then one option would be to continue with the interviews, since it is likely we have some that are scheduled as soon as Monday for affected applicants and then hold the cases post interview. We are trying to scrape our schedulers (C4 and NASS) to see when and where we have interviews scheduled for individuals from affected countries. We should have that sometime Monday.

Daniel M. Renaud

Associate Director, Field Operations Directorate

Department of Homeland Security | U.S. Citizenship and Immigration Services

From: Scialabba, Lori L

Sent: Friday, January 27, 2017 12:43 PM

To: Higgins, Jennifer

Cc: Renaud, Tracy L; Neufeld, Donald W; Renaud, Daniel M

Subject: FW: Executive Order

(b)(5)

FYI. I think Andrew might be right in terms of what is meant but

From: Davidson, Andrew J

Sent: Friday, January 27, 2017 12:37 PM

To: Renaud, Tracy L

Cc: Neufeld, Donald W; Renaud, Daniel M; Scialabba, Lori L

**Subject:** Executive Order

Tracy,

It is my understanding that POTUS will sign the "Protecting the Nation from Terrorist Attacks by Foreign Nationals" order today at 4:30pm. In complying with the EA I believe we need immediate clarification in Section 3 (c) relative to the 30 day suspension of processing immigrants and non-immigrants from the designated countries of interest and if this extends to processing of permanent resident applications. Though the EA states "immigrant and non-immigrant entry"

into the United States", once we grant an adjustment we "admit" that person.

We just need to clarify if by extension this applies to our product lines. If this is the case then Don and Dan will need to get guidance to the Field to put these adjudications on hold. Other than the refugee suspension that appears fully deployed on our end this appears the most urgent

clarification we need relative to the EAs.

Thanks,

Andrew Davidson
Acting Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security

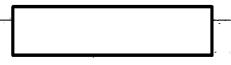
111 Massachusetts Avenue, NW		
Washington, DC 20529		

(b)(6)

Gillispie, Anna E	
From:	Tynan, Natalie S
Sent:	Friday, January 27, 2017 7:22 PM
То:	Anderson, Kathryn E.; Beveridge, Jennifer L. (Jenna); Cummings, Kevin J.; Deshommes, Samantha L.; Dunn, Maureen A.; Hamilton, Cristina A.; Lee, Robert E.; Parascandola, Ciro A.; Phillips, Mark; Prelogar, Brandon B.; Rather, Michael B.; Rigdon, Jerry L.; Silwany, Oscar Y.
Cc:	Levine, Laurence D; Rather, Michael B
Subject:	RE: Two Questions
_	ncludes a directive to evaluate the applicant's likelihood of becoming a positively iety and the applicant's ability to make contributions to the national interest.
N	
Natalie S. Tynan Senior Advisor USCIS, Office of Policy & Stra 20 Massachusetts Ave.	ategy
Washington, DC	
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	everidge, Jennifer L (Jenna); Cummings, Kevin J; Deshommes, Samantha L; Dunn, Maureen Robert E; Parascandola, Ciro A; Phillips, Mark; Prelogar, Brandon B; Rather, Michael B; car Y  (6)  (8)  (9)  (8)
any questions or immediate	utive order signed early this evening by the President. Please let me, Mike and Larry know if impacts to policy come to mind. Next week, we may want to consider pulling relevant inking about new guidance that will have to be issued. Hopefully we will have more
In the meantime, please ser	id any questions!
Thanks, Natalie	
Horo is a quick summary Int	ease road the entire document — I tried to bit the "highlights"):

- 1. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. There are review and reporting requirements that shall be completed within 30 days and additional follow up reporting requirements. While the review is conducted, the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), is suspended for 90 days. The Secretary shall provide a list of countries that do not provided necessary information to adjudicate and additional countries may be added. Visas may be issued to nationals of "blocked" countries in the national interest.
  - 2. Implementing Uniform Screening Standards for All Immigration Programs A program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission will be created and will include development of a uniform screening standard and procedure; a database of identity documents proffered by applicants; amended application forms with questions aimed at identifying fraudulent answers and malicious intent; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
  - 3. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. Suspension of the U.S. Refugee Admissions Program (USRAP) for 120 days for review of the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States. After 120 days, USRAP admissions resume for nationals of countries for which have been determined that such additional procedures are adequate to ensure the security and welfare of the United States. Refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality will be prioritized. Admission of refugees from Syria will be suspended. The refugee limit will be 50,000 for fiscal year 2017.
  - 4. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.
  - 5. Expedited Completion of the Biometric Entry-Exit Tracking System.
  - 6. Visa Interview Security. The visa interview waiver program is suspended to ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.
  - 7. <u>Visa Validity Reciprocity</u>. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal.

Senior Advisor
USCIS, Office of Policy & Strateg
20 Massachusetts Ave.
Washington, DC



(b))(65)